

**DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT**

P.O. Box 1947  
Sacramento, CA 95812-1947  
(916) 341-4200  
(916) 341-4203 (FAX)  
(916) 327-6318 (TDD)



**DATE:** December 6, 2007

**TO:** All Interested Organizations

**SUBJECT: NOTIFICATION OF REQUEST FOR APPLICATION TO DESIGNATE AN  
ELIGIBLE ENTITY IN SANTA CLARA COUNTY**

The Department of Community Services and Development (CSD) is seeking to designate a Community Action Agency (CAA) to provide Community Services Block Grant (CSBG) Program Services to the low-income population of Santa Clara County. CSD is releasing this Request for Application (RFA) to solicit applications from eligible entities interested in being considered for designation as a CAA. The RFA contains the statutory requirements and programmatic expectations of a CAA. The RFA and all attachments are available on the CSD website at [www.csd.ca.gov](http://www.csd.ca.gov).

There will be a Bidder's Workshop on January 17, 2008, to review the RFA and discuss the requirements of the CSBG program. To ensure adequate seating, please fax or email the Bidder's Workshop registration form to (916) 341-4284 or email to [santaclararfa@csd.ca.gov](mailto:santaclararfa@csd.ca.gov) by January 12, 2008. This workshop is not required but highly encouraged for all potential applicants.

**The Bidder's Workshop will be held at:**

**Social Services Agency Auditorium,  
333 W. Julian Street (Building 1)  
San Jose, CA 95110  
9:00 a.m. – 3:00 p.m.  
January 17, 2008**

CSD is excited about the prospect of a new organization to provide much needed services to the low-income population of Santa Clara County. If you have any questions regarding this notification, please forward them to [santaclararfa@csd.ca.gov](mailto:santaclararfa@csd.ca.gov). Additionally, please check CSD's website at [www.csd.ca.gov](http://www.csd.ca.gov) for updates. If you need assistance accessing the material contact Leslie Taylor at (916) 341-4284.

Sincerely,

A handwritten signature in cursive script that reads 'Lloyd Throne'.

Lloyd Throne  
Director

# State of California



## Department of Community Services and Development

### *NOTIFICATION* of RELEASE REQUEST FOR APPLICATION (RFA)

For Designation of Eligible Entity

*To serve the  
Santa Clara County Service Area*

December 2007

## **Significant Time Lines**

Advance Notification of Pre-RFA Released	September 1, 2007
Pre-Proposal Workshop	October 15, 2007
RFA Released	December 7, 2007
Bidder's Workshop	January 17, 2008
Deadline Date to Submit Notice of Intent	January 31, 2008
Deadline Date to Submit Application	March 3, 2008
Proposal Review Period	March 3 – March 28, 2008
Notice of Intent to Award Posted at <a href="http://www.csd.ca.gov">www.csd.ca.gov</a>	April 1, 2008 – April 5, 2008
Applicant's Appeal Period	April 1, - April 14, 2008
Projected Contract Term*	July 1, 2008 – June 30, 2009
(*Contingent upon designee meeting the statutory requirements, i.e., tripartite board, insurance requirements)	

### ***BIDDER'S WORKSHOP***

A workshop will be held on **Thursday, January 17, 2008**  
at **9:00 a.m.** in the Social Services Agency **Auditorium** located at,  
**333 W. Julian Street (Building 1), San Jose, CA 95110**

**Attendance is highly encouraged.** Advance registration is requested. Go to [www.csd.ca.gov](http://www.csd.ca.gov) to register by January 12, 2008 or email the registration form to [santaclararfa@csd.ca.gov](mailto:santaclararfa@csd.ca.gov) or fax to: (916) 341-4284 to confirm your attendance at the Bidder's Workshop.

**Questions regarding this notification:  
Contact Information**

**LESLIE TAYLOR, PROJECT ANALYST**  
700 North 10<sup>th</sup> Street, Room 215  
Sacramento, CA 95811-0336  
[Santaclararfa@csd.ca.gov](mailto:Santaclararfa@csd.ca.gov)

DEPARTMENT OF COMMUNITY SERVICES & DEVELOPMENT

NOTICE OF INTENT TO ATTEND BIDDER'S WORKSHOP

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Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

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Number of Attendees: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**PLEASE SUBMIT BY JANUARY 12, 2008**

**Email To: [santaclararfa@csd.ca.gov](mailto:santaclararfa@csd.ca.gov)**

**or**

**Fax to: (916) 341-4284**

DEPARTMENT OF COMMUNITY SERVICES & DEVELOPMENT

**NOTICE OF INTENT  
TO SUBMIT APPLICATION**  
**For the designation of an eligible entity to serve  
Santa Clara County**

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Date: \_\_\_\_\_

Organization Name (full name): \_\_\_\_\_

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Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone: \_\_\_\_\_

Designated person to sign application: (executive director or board chair):

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Print name and title

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Signature

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*PLEASE SUBMIT BY JANUARY 31, 2008.*

*FAX to:*

*(916) 341-4284*

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## **I. ANNOUNCEMENT**

The Department of Community Services and Development (CSD) announces the request for application to select an eligible entity. The purpose is to designate and fund a Community Action Agency (CAA) to provide services to the low income population in Santa Clara County.

These funds will be made available in an open competitive application process. CSD does not have a definitive amount that will be allocated to the Santa Clara County Area for the term of the initial contract as funding is allocated contingent on the final Federal Budget Appropriation. However, the 2007 allocation for Santa Clara County was \$1,085,954. Please use this figure when completing the proposed CSBG Budget (Attachment A).

### **A. BACKGROUND**

The Economic Opportunity Act of 1964 created Community Action Agencies (CAAs) to administer the federal "War on Poverty" programs in the mid-1960s. The CAA concept continues today under the Coates Human Services Reauthorization Act of 1998, also called the federal CSBG Act (see 42 U.S.C § 9901 *et seq.*), and under California's CSBG Act (see Govt. Code § 12725 *et seq.*). In California there are 62 organizations designated as "eligible entities" authorized to receive a portion of the Community Services Block Grant (CSBG) funds allocated to the State. CSD administers this grant and, using a formula allocation, provides the funds to CSBG "eligible entities" that serve the low-income persons in all 58 California Counties.

CSBG entities are a network of private non-profit and public agencies. These entities provide a range of services and also integrate and coordinate these services with other organizations. This multi-faceted approach distinguishes CSBG programs from other anti-poverty efforts, and maximizes the likelihood that the individuals and families assisted will become self-sufficient.

Currently, Santa Clara County does not have a designated eligible entity to serve low-income persons under the CSBG program.



### **B. GEOGRAPHIC AREA TO BE SERVED – SANTA CLARA COUNTY**

There are 15 cities in the County of Santa Clara, including: Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, and Sunnyvale. The County's geography ranges from Palo Alto in the north, to Gilroy in the south.

### **C. ELIGIBLE ENTITIES**

CSD seeks an eligible entity to provide comprehensive services to low-income individuals, families, and communities in the Santa Clara County Service Area. An

Application will be accepted from organizations that meet the qualifications under 676A of Public Law 105-285:

- A private nonprofit organization (which may include an eligible entity<sup>1</sup>) that is geographically located in Santa Clara County and is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency
- A private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity to Santa Clara County and is already providing related services in Santa Clara County

Organizations eligible to apply for designation as the eligible entity serving the Santa Clara County Service Area must: (1) be a private nonprofit organization (as described above); (2) provide services to low-income persons located within the Santa Clara County Service Area (3) demonstrate fiscal and programmatic capacity to provide services designed to eliminate the causes of poverty and foster self-sufficiency, and (4) be governed by a local tripartite (three-part) board.

The term "private, nonprofit organization" also includes religious organizations. CSD will consider qualified faith-based and other nonprofit organizations, as well as existing eligible entities, in designating an eligible entity to provide services in the Santa Clara County Service Area.

Please note that the federal law gives priority to nonprofit organizations, and therefore this RFA seeks applications only from those private corporations. However, if no private, nonprofit organization is identified or determined to be qualified through this RFA, CSD may designate an appropriate political subdivision of the State, or public agency, to serve as the eligible entity for Santa Clara County.

#### **D. TRIPARTITE BOARD REQUIREMENT** (Pursuant to Public Law 105-285 Sec. 676 B. Tripartite Board)

Before CSD can designate any entity as the community action agency for Santa Clara, the entity must be governed by a tripartite board of directors who are seated through a democratic selection process and which meets all of the legal requirements of federal and state CSBG law. The membership of the tripartite board includes:

- 1/3 of the members of the board are elected public officials, holding office on the date of selection, or their representatives
- not fewer than 1/3 of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individuals and families in the neighborhood served;

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<sup>1</sup> Eligible Entity: an organization that was officially designated as a community action agency or community action program under provisions of the Economic Opportunity Act of 1964; organizations serving migrant and seasonal farm workers, and agencies by the State.

- and each representative of low-income families selected to represent a specific neighborhood resides in the neighborhood represented by the member
- the remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served

Organizations not currently designated as an eligible entity may apply for and be considered for funding, but will not receive CSBG funds until designated as an eligible entity by CSD.

## **II. PROGRAM SUMMARY**

The purpose of the CSBG program is to reduce poverty, revitalize low-income communities, and empower low-income families and individuals to become fully self-sufficient. This is accomplished by using CSBG funds to support local efforts to identify, reduce, or eliminate the causes of poverty and to help solve problems that block the achievement of economic self-sufficiency. CSBG eligible entities are mandated to focus their efforts on assisting individuals to become self-sufficient, including creating and participating in community revitalization projects that provide enhanced economic opportunities for the target population. CSBG eligible entities also strive for maximum participation of residents of the low-income communities so that they become empowered to respond to the unique problems and needs within their own communities

An organization that receives funding as a community action agency:

- Is governed by a tripartite board composed of representatives of the low-income neighborhoods being served, elected local officials, and key community resources such as business and commerce, faith-based organizations, other service providers and community groups;
- Conducts periodic assessments of the poverty needs and condition within their community and serves as a principal source of information;
- Develops goals and strategies to empower low-income people, reduce poverty, increase self sufficiency, and improve conditions and opportunities within the community that support family stability and advancement;
- Mobilizes and coordinates programs and resources within the organization and by partnering with public and private service providers to achieve family and community improvement goals; and
- Maintains an outcome based system for assessing and reporting the effectiveness of its anti-poverty strategy in terms of results achieved among low-income people and communities.

## **A. PROGRAM ACTIVITIES**

CSBG funds may be used to support activities that are designed to assist low-income, elderly, migrant, or seasonal farm workers, and/or homeless individuals and families.

A CAA provides services based on the needs of the low-income population within their service area. The services and program activities shall target the effects of poverty and positively impact the low-income populations; and will be designed:

- (i) To remove obstacles and solve problems that block the achievement of self-sufficiency;
- (ii) To secure and retain meaningful employment;
- (iii) To attain an adequate education with particular attention toward improving literacy skills of the low-income families in the communities involved which may include carrying out family literacy initiatives;
- (iv) To make better use of available income;
- (v) To obtain and maintain adequate housing and a suitable living environment;
- (vi) To obtain emergency assistance through loans, grants, or other means to meet immediate and urgent family and individual needs;
- (vii) To achieve greater participation in the affairs of the community involved, including the development of public and private grassroots partnerships with local law enforcement agencies, local housing authorities, private foundations, and other public and private partners.

## **B. PROGRAM REPORTING**

All entities receiving CSBG funds are required to submit the following information and reports to CSD.

### **1. Community Action Plan**

Each eligible entity is required to submit a biennial Community Action Plan (CAP) to CSD that includes a community-needs assessment for the community served. For the purposes of this RFA CSD has contracted with a service provider to conduct a Community Information Profile and Needs Assessment of Santa Clara County's low income community (Attachment H). The information and data included in the applicant's application may cite additional sources and data that refute the information provided in the attached needs assessment.

Note: Upon designation as a CAA, the applicant will be required to submit a CAP pursuant to further guidance by CSD.

### **2. CSBG NPI/Programs Report**

There are six mandated goals for which CSBG entities are required to collect data and report outcomes. The goals are submitted in the Annual Report that CSD submits to the federal Office of Community Services (OCS). The entity designated for Santa Clara County will be required to document and report bi-annually and annually the outcomes achieved on the following CSBG National Goals:

- a) Low-income people become more self-sufficient
- b) The conditions in which low-income people live are improved
- c) Low-income people own a stake in their community
- d) Partnerships among supporters and providers of services to low-income people are achieved

- e) Agencies increase their capacity to achieve results
- f) Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive systems

### **3. Client Characteristics**

Entities are required to capture client demographic data on the clients served and report to CSD annually. The client characteristics data is submitted in the Annual Report that CSD submits to the federal Office of Community Services (OCS).

### **4. Fiscal Reports**

Entities are required to submit expenditure reports to CSD monthly or bimonthly reflecting actual expenditures.

## **C. USE OF FUNDS**

CSBG funds allow organizations to administer programs that identify, address, and eliminate the causes of poverty. CSBG funds can be used to provide direct assistance to low-income persons, and to assist with the costs of administering other federal, state, and local programs that provide assistance to low-income persons. CSBG funds allow eligible entities to operate a vast array of programs aimed at identifying, ameliorating, and eliminating the causes of poverty and increasing the participation of low-income persons in the activities of their community so that they can assist in solving their own problems.

CSBG funds may not be used for the purchase or improvement of land, or the purchase, construction, or improvement of land, or the purchase, construction or permanent improvement of any building or other facility.

CSBG funds cannot be used in the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in programs with any partisan or nonpartisan political activity or any political activity, any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with an election or any voter registration activity.

## **D. CSD Reservations**

CSD reserves the right to modify, amend, cancel, or terminate this RFA at any time by issuance of an addendum or notice to all parties who have requested or been mailed an application. **CSD reserves the right to fund none of the applications submitted in response to this RFA.**

### **1. Submission Information**

#### **A) Application Format Criteria**

Applications must be typed double spaced on standard 8 1/2" by 11" paper and have consecutively numbered pages. The font should be no less than 12. An original and **five (5)** copies of an application must be submitted. The original must be marked "original" and contain original signatures.

#### **B) Application Certification**

The original application must be signed on the cover page by the applying organization's Executive Director and the Board of Directors President.

**C) Notice of Intent to Submit an Application**

For the purpose of planning the RFA review process, all prospective applicants submit a Notice of Intent to Submit an Application signed by the executive director or board chair by January 31, 2008. This notice is not binding and those submitting a notice may elect not to submit an application.

**D) Application Deadline**

The **deadline** for the receipt and consideration of an application is **5:00 p.m., Monday, March 3, 2008.**

**E) Questions**

Any questions regarding the contents of this RFA shall be in writing and emailed to [santaclararfa@csd.ca.gov](mailto:santaclararfa@csd.ca.gov) by January 31, 2008. The deadline for CSD to respond to questions will be February 15, 2008.

**An original and five (5) copies of an application must be submitted and may either be mailed or delivered to:**

**Mailing Address**

Department of Community Services and Development  
Santa Clara County Request for Application  
Post Office Box 1947  
Sacramento, CA 95812-1947

**Street Address**

Department of Community Services and Development  
Santa Clara County Request for Application  
700 North 10<sup>th</sup> Street, Room 211  
Sacramento, CA 95811

CSD cannot accept transmission by fax or other electronic methods. Any proposal received after the above specified date and time will not be accepted.

**2. Disposition of Applications**

Upon execution of award, all documents submitted in response to the RFA will become the property of the State of California and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) subject to review by the public.

**3. Appeal Process**

- Only an original applicant, whose application was evaluated, may appeal the notice of intent to award posted by CSD. There is no appeal for applications that are submitted late, are noncompliant, or are incomplete.

- ~ A contract award may be delayed when an appeal is received by CSD. CSD will not award a contract until the appeal is withdrawn or CSD has rendered a decision.
- ~ A Notice of Intent to Appeal must be filed in writing and received by CSD within five (5) working days after the Notice of Intent to Award is posted on CSD's website. The Notice of Intent to Award is expected to be posted and noticed on **April 1, 2008**. For this RFA, **the Notice of Intent to Appeal must be received by CSD on or before April 8, 2008**. Appeals must be mailed, faxed or hand delivered to:

***Brenda Carradine, CSBG Contract Coordinator  
Department of Community Services and Development  
Mailing Address  
P.O Box 1947  
Sacramento, CA 95812-1947***

***Street Address  
700 North Tenth Street, Room 215  
Sacramento, CA 95811-0336***

***(916) 341-4262 (FAX)***

- ~ Within five days after filing the Notice of Intent to Appeal, the appealing applicant shall file with CSD a full and complete written statement specifying the grounds for the appeal. Appeals shall be limited to the grounds that CSD failed to correctly apply the standards for reviewing the format requirements or evaluating the applications as specified in the RFA.
- ~ After filing a Notice of Intent to Appeal, the appellant will have five calendar days from the date of its filing to file a detailed written statement of the appeal if the Notice of Intent to Appeal did not contain the complete grounds for appeal. Appeals shall be limited to the grounds that CSD failed to correctly apply the standards for reviewing the format requirements or evaluating the applications as specified in the RFA.
- ~ **The detailed written appeal can only be filed if a Notice of Intent to Appeal was previously received by CSD on or before April 8, 2008, at 5:00 p.m.**
- ~ Lloyd Throne, Director or designee may hold an oral hearing and render a decision based on the content of the written appeal letter and the hearing. The decision of Lloyd Throne, Director, or designee shall be final. There is no further administrative appeal.
- ~ Appellants will be notified in writing of the decision regarding their appeal within ten (10) working days of the hearing date or the consideration of the

written appeal letter, if no hearing is conducted.

**E. Contract Information**

Applicant shall agree to comply with the terms and conditions of a contractual agreement with CSD, which shall be substantially in the form as the attached 2008/2009 CSBG contract (Attachment E).

**F. Notice of Intent to Submit an Application**

All prospective applicants should submit a Notice of Intent to Submit an Application to CSD by January 31, 2008, signed by the executive director or board chair.

**G. Notice of Intent to Award**

A Notice of Intent to Award shall be posted on April 1, 2008, in a public place in the office of CSD, 700 North 10<sup>th</sup> Street, Sacramento, CA 958111, and on CSD's website: [www.csd.ca.gov](http://www.csd.ca.gov). The Notice of Intent to Award will be posted for at least five (5) working days prior to awarding the contract.

**H. Application Review Process**

***A two phase selection process will be used to review and/or score submitted applications. An application must successfully meet the minimum requirements in Phase I before moving to Phase II for evaluation review and ranking.***

**1. Phase I: Minimum requirements**

CSD Staff will review each application for timeliness, completeness, and initial responsiveness to the minimum requirements of the RFA; applicants will receive a pass or fail.

**A) Minimum Requirements**

Applicants are required to provide one (1) copy of each of the items listed below. An application that does not include the required items will be deemed non responsive and will not be considered any further.

- 1) Organization's Articles of Incorporation
- 2) Documentation of organization's current IRS tax exempt status.
- 3) Evidence that organization is geographically located in Santa Clara County; or is contiguous to or within reasonable proximity to Santa Clara County **and** is already providing services in Santa Clara County
- 4) Agency Audit – performed within the past two fiscal years, including management letter and agency response. The audit must have been conducted in compliance with standards adopted by the American Institute of Certified Public Accountant's, including Government Auditing Standards.

- 5) Documentation of **current** fidelity, liability and vehicle insurance.
- 6) Organizational Chart
- 7) Organizational Budget with list of Current Funding Sources
- 8) Resumes AND Duty Statements of Key Staff
- 9) List of Current Partnerships and Collaborative
- 10) Current Organizations' By-laws
- 11) Current Board Roster by sector represented and local affiliation
- 12) Minutes of last 12 months of the Board of Directors Meetings
- 13) Letters of Support for your organization's application for designation (Limit 5)
- 14) Applicant's strategic plan

**Note: Applicant must be in good standing with the Secretary of State's Office. CSD will conduct a status check to verify the good standing.**

IF MINIMUM REQUIREMENTS ARE NOT MET BY DOCUMENTS SUBMITTED WITH THE APPLICATION (see A. Phase I: Minimum Requirements items 1 – 14), CSD WILL NOT CONSIDER THE APPLICATION ANY FURTHER.

## **2. Phase II: Application Evaluation and Ranking**

An application that receives a rating of pass in Phase I: Minimum Requirements will be submitted to reviewers, evaluated, and awarded a numerical score which consists of an average score of all reviewers, based on responses to program requirements and evaluation criteria. A maximum of 110 total points can be obtained. The raters will use the scoring criteria as described below.

The following information is to be used by the applicant to prepare the narrative response and budget that will be evaluated and scored.

### **III. APPLICATION PREPARATION AND SUBMISSION REQUIREMENTS PROJECT NARRATIVE INSTRUCTIONS**

The application narrative must provide all the information requested, when applicable, and follow the order of the outline. The narrative should be formatted with one-inch margins and double spaced 8 ½x11" paper. Font size should be no smaller than 12. **The narrative must not exceed 15 pages.**

**Provide a clear detailed narrative response to each of the following:**

## **A. *Achieving the goals of the CSBG Act***

### **10 points**

- a) Explain how the organization is currently meeting the goals of the CSBG Act. Describe how the funds and the designation as a CAA will assist in developing or expanding programs, outreach, or other approaches in assisting low income clients achieve self sufficiency. Include how the applicant's strategic plan incorporates the goals of the CSBG Act.

**Achieving the goals Point Total      10 points**

## **B. *Capacity of Applicant Organization***

### **10 points**

- a) Provide a brief history of the organization including its mission, (location(s)) including those in areas to be served and accessibility to the low-income population. Include the organization's experience and ability to deliver services and programs to low-income clients; including all ethnic and language groups, and geographic areas of the county with demonstrated positive outcomes.

### **10 points**

- b) Provide a description of the overall staffing and experience of staff in administering programs and working with the low-income population. Explain how the applicant will add staff or expertise to the organization to deliver the programs proposed in this application.

### **10 points**

- c) Provide a description of your organization's partnerships, experience, and linkages with other public and private community based organizations in working with the low-income population. Include how your organization currently or will involve partners and coordinated collaborative relationships in the Service Area to maximize service delivery.

### **10 points**

- d) Provide a description of how your organization follows sound fiscal management principles and procedures in administering grants to ensure proper checks and balances. As part of the evaluation the applicant's audit must demonstrate the organization's fiscal accountability, soundness, and viability such as a positive fund balance, no losses, free of material findings, and no statement regarding "a going concern."

### **10 points**

- e) Explain your organization's plan to develop a tripartite board to represent as many groups or needs as possible in the Santa Clara Area. Describe the board's active involvement in planning, implementation, program evaluation, and fiscal management.

**Capacity Point Total      50 points**

## **C. *Applicant Program Approach***

**10 points**

- a) Describe the current types of programs administered, funding amounts allocated for each program, current service area(s), target populations served and the total number of clients served annually. Include the number of clients that achieve self-sufficiency annually.

**10 points**

- b) Describe your organization's evaluation of the attached Santa Clara County Community Information Profile and Needs Assessment. Describe your organization's concurrence or disagreement with the information contained in the report. Include the strategies to be implemented that will meet and/or expand the program priorities. If your organization has identified different priorities, identify the difference and discuss the facts and rationale to support the findings.

**10 points**

- c) Describe how the organization conducts assessments that involve input on determining the services to the low-income population, including how you outreach and identify appropriate clients, how services are integrated with other community resources, the additional services to be provided, and the service strategies and approaches to be used to achieve the purpose of the CSBG Act.

**10 points**

- d) Describe how client information and data is collected by your organization to evaluate individual client success and program effectiveness. Explain how this data is used to set goals, measure and track the outcomes of services provided.

**Approach Point Total      40 points**

**D. Budget**

**10 points**

- a) Describe your current funding sources and the services provided with the funds and how the CSBG funds will be integrated into your current method of service delivery to expand programs and resources.
- b) Applicants are required to submit a budget (Attachment A) detailing how CSBG funds will be expended. Costs should be necessary and reasonable for carrying out the proposed services. Applicant will include a sufficient budget narrative to explain how each line item cost is determined. Applicants shall submit a list of "Other Agency Operating Funds" as requested on the budget form (Section 70). Justification documentation may be placed on additional sheets immediately behind the budget pages. ***The budget narrative does not count in the 15 page narrative limit.***

**Note: Applicant must make full written disclosure on any debarment, suspension, and related matters described in Exhibit D.1 B. 1 – 4 (see below) of the CSBG contract. If applicable, provide the disclosure in the budget narrative.**

**B. Contractor hereby certifies to the best of its knowledge that it or any of its officers:**

- 1) *Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency.*
- 2) *Have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.*
- 3) *Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 2 of this certification.*
- 4) *Have not within a three-year period preceding this Agreement had one or more public (federal, state, or local) transactions terminated for cause or default.*
- 5) *If any of the above conditions are true for the Contractor or any of its officers, Contractor shall describe such condition and include it as an attachment to this Exhibit D. Based on the description, CSD in its discretion may decline to execute this Agreement, or set further conditions of this Agreement. In the event any of the above conditions are true and not disclosed by Contractor, it shall be deemed a material breach of this Agreement, and CSD may terminate this Agreement for cause immediately pursuant to the termination provisions of State and federal law governing the CSBG program."*

**Budget Point Total**

**10 points**

#### ***IV. Summary of Total Maximum Points***

<b>Narrative Section</b>	<b>Maximum Points</b>
<b>A. Achieving the goals of the CSBG Act</b>	<b>10</b>
<b>B. Capacity of Applicant Organization</b>	<b>50</b>
<b>C. Applicant Program Approach</b>	<b>40</b>
<b>D. Budget</b>	<b>10</b>
<b>Total Maximum points</b>	<b>110</b>

#### ***V. Evaluation and Scoring Criteria***

##### ***A. Scoring Criteria***

<b>Points</b>	<b>Interpretation</b>	<b>General basis for Point assignment</b>
<b>0 – 1</b>	<b>Inadequate</b>	Application response (i.e., content and/or explanation offered) is inadequate or does not meet requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
<b>2 – 4</b>	<b>Barely Adequate</b>	Application response (i.e., content and/or explanation offered) is barely adequate or barely meets the requirements. The omission(s), flaw(s), or defect(s), are insignificant and acceptable.
<b>5 – 7</b>	<b>Fully Adequate</b>	Application response (i.e., content and/or explanation offered) is fully adequate or fully meets requirements. The omission(s), flaw(s), or defect(s), if any, are inconsequential.
<b>8 – 10</b>	<b>Excellent or Outstanding</b>	Application response (i.e., content and/or explanation offered) is above average or exceeds requirements. Applicant offers one or more enhancing feature, solution, method or approach that will enable performance to exceed basic expectations.

**APPLICATION FOR DESIGNATION OF ELIGIBLE ENTITY**  
Application Cover Page

**COMMUNITY SERVICES BLOCK GRANT PROGRAM**  
**SANTA CLARA COUNTY**

Agency Name

Mailing Address (Street address, City, State, Zip Code)

**Person authorized to act as the contact for this organization in matters regarding this application:**

Printed Name (First, Last:

Title:

Telephone number:

Email address:

Fax Number:

( )

( )

**Name/Title of person authorized by the Board Of Directors to sign this application on behalf of the Board:**

Printed Name (First, Last:

Title:

Telephone number:

Email address:

Fax Number:

( )

( )

**Signature**

**Date**

**Executive Director or Chief Operating Officer :**

Printed Name (First, Last:

Title:

Telephone number:

Email address:

Fax Number:

( )

( )

**Signature**

**Date**

*By submitting this application, the applicant signifies the acceptance of the responsibility to comply with all grant requirements in this RFA, and in accordance with applicable Federal and State statute(s). The applicant understand that CSD is not obligated to fund the project until the applicant submits complete and accurate documents required for the contract agreement.*

## **VI. ATTACHMENTS**

### **APPLICATION STACK ORDER CHECKLIST**

The application elements and attachments must be assembled in the order listed below. Failure to attach required documents and/or failure to provide appropriate signatures where applicable shall be cause for an application to be deemed non-responsive and be disqualified.

#### **ATTACHMENTS AND STACK ORDER**

Please check each box when completed.

- ☐ Signed Application Cover Page
- ☐ Numbered Table of Contents
- ☐ Application Narrative (Limit 15 pages)
- ☐ CSBG Program Budget
- ☐ CSBG Budget Narrative (Does not count in the 15 page narrative limit)

#### **ORGANIZATIONAL CAPABILITY DOCUMENTS AND STACK ORDER**

Please check each box when completed.

- ☐ Organization's Articles of Incorporation
- ☐ Documentation of organization's tax exempt status
- ☐ Evidence that organization is located in Santa Clara County
- ☐ Agency Audit
- ☐ Current fidelity, liability and vehicle insurance
- ☐ Organizational Chart
- ☐ Organizational Budget
- ☐ Resumes and Duty Statement of Key Staff
- ☐ List of Current Funding Sources
- ☐ List of Current Partnerships and Collaboratives
- ☐ Current Board of Directors By-Laws
- ☐ Current Board Roster
- ☐ Board Minutes – Past twelve months
- ☐ Strategic Plan

#### **LETTERS OF SUPPORT**

- ☐ Letters of Support (Limit 5)

# **ATTACHMENT A**

## **CSBG BUDGET FORMS**

CSD 425.S (Rev. 11/07)

**ATTACHMENT I** Please indicate Reporting option: ☐ Monthly ☐ Bimonthly

**CSBG FISCAL DATA -- CSBG CONTRACT BUDGET (SUMMARY)**

Contractor Name:		Contract Number:	Program Yr. Amount:
Prepared By:		Contract Term:	Amendment #:
Telephone #:		Program Year: (e.g., 2008)	Fax Number:
Date:	Email:		

**SECTION 10: ADMINISTRATIVE COSTS**

Line Item	Description	CSBG Funds
1	Salaries and Wages	
2	Fringe Benefits	
3	Operating Expenses & Equipment	
4	Out-of-State Travel	
5	Subcontractor Services	
6	Other Costs:	
<b>Subtotal Section 10: Administrative Costs (cannot exceed 12% of Section 80)</b>		

**SECTION 20: PROGRAM COSTS**

7	Salaries and Wages	
8	Fringe Benefits	
9	Operating Expenses & Equipment	
10	Out-of-State Travel	
11	Subcontractor Services	
12	Other Costs:	
<b>Subtotal Section 20: Program Costs</b>		

**SECTION 40: Total CSBG Budget Amount (Sum of Subtotal Sections 10 and 20)**

**SECTION 70: Enter "Other Agency Operating Funds"**

**SECTION 80: Agency Total Operating Budget (Sum of Sections 40 and 70)**

**SECTION 90: CSBG Funds Administrative Percent (Section 10 divided by Section 80)**

### ATTACHMENT I -- BUDGET SUPPORT -- PERSONNEL COSTS

Contractor Name:	Contract Number:		Program Yr. Amount:
Prepared By:	Contract Term:		Amendment #:
Telephone #:	Program Year: (e.g., 2008)	Fax Number:	
Date:	E-mail Address:		

### ADMINISTRATIVE COSTS -- SALARIES AND WAGES

A	B	C	D	E	F	Total CSBG Admin. Cost per position ((C+D)*A)*E
No. of Positions	Position Title	Salaries and Wages	Fringe Benefits	% of time to CSBG Administration	% of time to CSBG Program	
Total (should equal the sum of Section 10 Administrative Costs: lines 1 and 2 of the Budget Summary 425 S.)						

### ATTACHMENT I -- BUDGET SUPPORT -- NON PERSONNEL COSTS

Contractor Name:	Contract Number:	Program Yr. Amount:
Prepared By:	Contract Term:	Amendment #:
Telephone #:	Program Year: (e.g., 2008)	Fax Number:
Date:	E-mail Address:	

*Hit Alt & Enter at the same time to begin a new line or paragraph within the cell.*

<b>EXPLAIN AND JUSTIFY EACH LINE ITEM</b> Totals must match Budget Summary - Attach additional sheet(s) if necessary Missing description shall result in delay of the contract execution.	<b>Section 10 Administrative Costs</b>	<b>Section 20 Program Costs</b>
List all Equipment Purchases in Excess of \$5,000 per item:	3	9
List all Contract & Consultant Services in Excess of \$5,000:	3	9
List all Out-of-State Travel Only:	4	10
List all Subcontractor Services in excess of \$5,000:	5	11
Other Costs - Explain & Justify costs greater than \$10,000:		
i. IT Development:		
ii. Direct Client Purchases:		
ii. Direct Client Purchases:		
iii. Indirect Costs:		
iv. Any additional Other Costs (attach additional sheet if necessary):		
<b>Total Other Costs (Sum of i, ii, iii, iv):</b>	6	12

## INSTRUCTIONS

### ATTACHMENT I – CSBG FISCAL DATA- CSBG CONTRACT BUDGET (Summary) CSD 425. S (Rev. 11/07)

Enter the identifying information requested at the top of the report form: contractor's name, contract number, program year amount, contract term, program year (e.g., 2008), and amendment number (*if applicable*). Enter the preparer's name, telephone number, e-mail address, and fax number.

#### SECTION 10: ADMINISTRATIVE COSTS:

Those costs which are directly related to the administration of the CSBG contract.

Lines 1 through 6: CSBG FUNDS: Enter the total amount budgeted for each of the line items.

1. Salaries & Wages

Provide the total dollar amount of salaries and wages dedicated to staff performing administrative duties. Includes all payments made to administrative staff, permanent or temporary, as well as all regular and overtime pay, as approved by the contract authority.

2. Fringe Benefits

Provide the total dollar amount of fringe benefits for staff performing administrative duties. Include all payments made in accordance with approved payroll benefit programs. This includes retirement/pension plans and various other forms of insurances related to employee compensation such as disability, life, health and unemployment. Additionally, payroll taxes, workers' compensation, disability insurance, sick leave and accrued vacation should be included.

3. Operating Expenses & Equipment

Provide the total dollar amount for all administrative operating expenses and equipment related to CSBG programs. Examples of administrative operating expenses & equipment include:

- In-state travel costs
- Building costs (such as rental & lease fees)
- Consumable supply costs
- Utility costs
- Administrative operating costs (such as telephones, building alarms, maintenance, etc)
- Supply costs (such as printing, duplication, postage, etc)
- Insurance costs not related to personnel insurance costs
- Additional fees related to the administration of the CSBG Program (such as staff trainings, membership dues, costs incurred due to Board meetings, subscriptions, etc)
- All equipment/lease purchases dedicated to administrative needs
- Funds spent on contractor/consultant services to meet administrative needs in this area.

**List all Equipment/Lease costs and Contracts/Consultants Costs in excess of \$5,000.**  
Complete CSBG Fiscal Data – Non Personnel Cost CSD 425. 1.2 with the detailed information.

4. Out-of-State Travel

Provide the total dollar amount of travel costs (excluding personnel costs) incurred during travel outside of the State of California. Complete CSBG Fiscal Data – Non Personnel Cost CSD 425. 1.2 with the name of the conference, location, and cost per trip.

5. Subcontractor Services

Provide the total dollar amount administered to any subcontracting agencies that provide administrative services.

**List all subcontractor costs in excess of \$5,000.** Complete CSBG Fiscal Data – Non Personnel Cost CSD 425. 1.2 with the detailed information.

6. Other Costs

Provide a list of all other administrative costs that do not fit in the above categories, including but not limited to any funds directed towards:

- IT Development. IT Development includes only projects in the development phases. Costs of IT projects in use should be included in Operating Expenses & Equipment above.
- Audit, Legal and Lobbying Costs: As defined by the Cost Principles in OMB Circular A-122
- Indirect Costs. The indirect cost rate is defined as the dollar value of the approved federal rate and the entire amount can be claimed as long as it is not reimbursed by another funding source. Please note that if indirect costs are reported the approved Indirect Cost Rate Plan must be submitted.

**SUBTOTAL SECTION 10 (Administrative Costs):** Enter the sum of line items 1 through 6 for CSBG FUNDS. (Cannot exceed 12% of Section 80)

**SECTION B: PROGRAM COSTS:**

Those costs incurred that are not related to the administrative costs reported above, but are directly related to the operation of the organization.

Lines 7 through 12: CSBG FUNDS: Enter the total amount budgeted for each of the line items.

7. Salaries and Wages

Provide the total dollar amount of salaries and wages dedicated to staff performing programmatic support activities. Include all payments made to programmatic staff, permanent or temporary, as well as all regular and overtime pay, as approved by the contract authority.

8. Fringe Benefits

Provide the total dollar amount of fringe benefits dedicated to staff performing programmatic support duties. Include all payments made in accordance with approved payroll benefit programs. This includes retirement/pension plans and various other forms of insurances related to employee compensation such as disability, life, health and

unemployment. Additionally, payroll taxes, workers' compensation, disability insurance, sick leave and accrued vacation should be included.

9. Operating Expenses & Equipment

Provide the total dollar amount for all programmatic operating expenses and equipment linked with CSBG programs. Include:

- In-state travel costs related to programmatic costs
- Building costs related to programmatic operation (such as rental & lease fees)
- Consumable supply costs
- Programmatic operating costs (such as telephones, building alarms, maintenance, etc)
- Programmatic supply costs (such as printing, duplication, postage, etc)
- Additional fees related to the programmatic operation of the CSBG Program
- Equipment/lease purchases dedicated to programmatic needs
- Funds spent on contractor/consultant services to meet programmatic needs in this area.

**List all Equipment/Lease costs and Contracts/Consultants Costs in excess of \$5,000.** Complete CSBG Fiscal Data – Non Personnel Cost CSD 425. 1.2 with the detailed information.

10. Out-of-State Travel

Provide the total dollar amount of travel costs related to programmatic tasks incurred during travel outside of the State of California. Complete CSBG Fiscal Data – Non Personnel Cost CSD 425. 1.2 with the name of the conference, location, and cost per trip.

11. Subcontractor Services

Provide the total dollar amount paid to any subcontracting agencies that provide programmatic services.

**List all subcontractors in excess of \$5,000.** Complete CSBG Fiscal Data – Non Personnel Cost CSD 425. 1.2 with the detailed information.

12. Other Costs

Provide a list of all other programmatic costs that do not fit in the categories above, including but not limited to funds directed towards:

- Direct Client Purchases. Include all direct purchases made with CSBG dollars for items designated specifically for client use.

**SUBTOTAL SECTION 20 (Program Costs):**

Enter the sum of line items 7 through 12 for CSBG FUNDS.

**SECTION 40: Total CSBG Budget Amount:**

Enter the sum of Subtotal Sections 10 and 20. The amount must match the contract amount.

**SECTION 70: Total of Other Community Action Program Operating Funds:**

Provide the total operating budget of the community action program(s) administered by the tripartite board. For public community action agencies, all funds under the administration of the advisory or administrative tripartite board should be considered as community action program operating funds. **Prepare and attach a detailed, itemized list identifying all other known funding sources and amounts that make up the total annual operating budget of the community action program(s).**

**SECTION 80: Community Action Program Total Operating Budget:**

The sum of Section 40 (Total CSBG Budget Amount) and Section 70 (Other Agency Operating Funds).

**SECTION 90: CSBG Funds Administrative Percent:**

Divide Section 10: Administrative Costs by Section 80: Agency Total Operating Budget. This percentage cannot exceed 12% of the community action program's total operating budget.

## INSTRUCTIONS

### ATTACHMENT I – CSBG FISCAL DATA- CSBG BUDGET SUPPORT -- Personnel Costs CSD 425. 1.1 (Rev. 11/07)

Enter the identifying information requested at the top of the report form: contractor's name, contract number, program year amount, contract term, program year (e.g., 2008), and amendment number (*if applicable*). Enter the preparer's name, telephone number, e-mail address, and fax number.

#### ADMINISTRATIVE COSTS – SALARIES AND WAGES:

Complete this form for those costs which are directly related to the administration of the CSBG contract. Provide the specific positions for the salaries and wages (Line Item# 1 Budget Summary 425. S) and Fringe Benefits (Line Item# 2 Budget Summary 425. S).

Column A: **Number of Positions**

Specify the number of positions for each Position Title in Column B that are directly related to the administrative costs of the CSBG contract.

Column B **Position Title**

Specify the position title. Do not abbreviate.

Column C: **Salaries and Wages**

Specify the total dollar amount of salaries and wages for staff performing CSBG administrative activities. Include all payments made to administrative staff, permanent or temporary, as well as all regular and overtime pay, as approved by the contract authority.

Column D: **Fringe Benefits**

Specify the total dollar amount of fringe benefits for staff performing administrative duties. Include all payments made in accordance with approved payroll benefit programs. This includes retirement/pension plans and various other forms of insurances related to employee compensation such as disability, life, health and unemployment. Additionally, workers' compensation, disability insurance, sick leave and accrued vacation should be included.

Column E: **Percent (%) of time to CSBG Administration**

Specify the amount of time (in percent) for the position dedicated to the CSBG administrative activities.

Column F: **Percent (%) of time to CSBG Program**

Specify the amount of time (in percent) for the position dedicated to CSBG programmatic activities—if applicable.

Column G **Total CSBG Administrative Costs**

The sum of Col. C plus Col. D multiplied by Col. A multiplied by Col. E= dollar amount charged to the administrative costs of the CSBG contract.

**ATTACHMENT I – CSBG FISCAL DATA- Non Personnel Costs**  
**CSD 425. 1.2 (Rev. 11/07)**

Enter the identifying information requested at the top of the report form: contractor's name, contract number, program year amount, contract term, program year (e.g., 2008), and amendment number (*if applicable*). Enter the preparer's name, telephone number, e-mail address, and fax number.

List those costs which are directly related to the **administrative** (Column A) and/or **program** (Column B) of the CSBG contract.

**List all Equipment Purchases Services in Excess of \$5,000**

Provide a detailed list of all equipment purchases in excess of \$5,000; include type of equipment and the amount (e.g. copy machine, \$6,500).

**List all Contract & Consultant Services in Excess of \$5,000:**

Provide a detailed list of the contract and consultant services in excess of \$5,000; include the name and amount of the each contract. (e.g., strategic planning consultant, \$8,500)

**List all Out-of-State Travel Only:**

Provide detailed information for each out of state travel trip; include location, purpose of each trip, and related costs per trip (e.g. Chicago, IL, CAP Law Conference, \$1500).

**List all Subcontractor Services in excess of \$5,000:**

List the subcontractor name and total dollar amount administered to any subcontracting agencies that provide services in excess of \$5,000 (e.g., Youth Employment Training Agency, \$20,000).

**Other Costs**

Please provide a list of all other administrative and program costs that do not fit in the above categories. Please specifically mention any funds directed towards:

- i. IT Development: IT Development includes only projects in the development phases. Costs of IT projects in progress should be included in Operating Expenses & Equipment above.
- ii. Direct Client Purchases: List all direct client purchases in excess of \$10,000; include the item name, the number purchased, and the cost (e.g. thermal blankets, qty. 3000, \$12,000).
- iii. Indirect Costs: The indirect cost rate is defined as the dollar value of the approved federal rate, and the entire amount can be claimed as long as it is not reimbursed by another funding source. **Please note that if indirect costs are reported, the approved Indirect Cost Rate Plan must be submitted.**
- iv. Any additional Other Costs: List the additional other costs (attach additional sheet if necessary) that do not fit in any other category above in excess of \$10,000.  
**Total Other Costs** (sum of i, ii, iii, iv)

**ATTACHMENT B**  
**COMMUNITY SERVICES BLOCK GRANT ACT, 42 U.S.C.,**  
**SECTION 9901 et seq.**

42 USC 9801  
note.

**SEC. 119. REPEAL OF HEAD START TRANSITION PROJECT ACT.**

The Head Start Transition Project Act (42 U.S.C. 9855-9855g) is repealed.

**TITLE II—COMMUNITY SERVICES  
BLOCK GRANT PROGRAM**

**SEC. 201. REAUTHORIZATION.**

The Community Services Block Grant Act (42 U.S.C. 9901 et seq.) is amended to read as follows:

Community  
Services Block  
Grant Act.

**“Subtitle B—Community Services Block  
Grant Program**

42 USC 9901  
note.

**“SEC. 671. SHORT TITLE.**

“This subtitle may be cited as the ‘Community Services Block Grant Act’.

42 USC 9901.

**“SEC. 672. PURPOSES AND GOALS.**

“The purposes of this subtitle are—

“(1) to provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient (particularly families who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)); and

“(2) to accomplish the goals described in paragraph (1) through—

“(A) the strengthening of community capabilities for planning and coordinating the use of a broad range of Federal, State, local, and other assistance (including private resources) related to the elimination of poverty, so that this assistance can be used in a manner responsive to local needs and conditions;

“(B) the organization of a range of services related to the needs of low-income families and individuals, so that these services may have a measurable and potentially major impact on the causes of poverty in the community and may help the families and individuals to achieve self-sufficiency;

“(C) the greater use of innovative and effective community-based approaches to attacking the causes and effects of poverty and of community breakdown;

“(D) the maximum participation of residents of the low-income communities and members of the groups served by programs assisted through the block grants made under this subtitle to empower such residents and members to respond to the unique problems and needs within their communities; and

“(E) the broadening of the resource base of programs directed to the elimination of poverty so as to secure a more active role in the provision of services for—

“(i) private, religious, charitable, and neighborhood-based organizations; and

“(ii) individual citizens, and business, labor, and professional groups, who are able to influence the quantity and quality of opportunities and services for the poor.

“SEC. 673. DEFINITIONS.

42 USC 9902.

“In this subtitle:

“(1) ELIGIBLE ENTITY; FAMILY LITERACY SERVICES.—

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an entity—

“(i) that is an eligible entity described in section 673(1) (as in effect on the day before the date of enactment of the Coats Human Services Reauthorization Act of 1998) as of the day before such date of enactment or is designated by the process described in section 676A (including an organization serving migrant or seasonal farmworkers that is so described or designated); and

“(ii) that has a tripartite board or other mechanism described in subsection (a) or (b), as appropriate, of section 676B.

“(B) FAMILY LITERACY SERVICES.—The term ‘family literacy services’ has the meaning given the term in section 637 of the Head Start Act (42 U.S.C. 9832).

“(2) POVERTY LINE.—The term ‘poverty line’ means the official poverty line defined by the Office of Management and Budget based on the most recent data available from the Bureau of the Census. The Secretary shall revise annually (or at any shorter interval the Secretary determines to be feasible and desirable) the poverty line, which shall be used as a criterion of eligibility in the community services block grant program established under this subtitle. The required revision shall be accomplished by multiplying the official poverty line by the percentage change in the Consumer Price Index for All Urban Consumers during the annual or other interval immediately preceding the time at which the revision is made. Whenever a State determines that it serves the objectives of the block grant program established under this subtitle, the State may revise the poverty line to not to exceed 125 percent of the official poverty line otherwise applicable under this paragraph.

“(3) PRIVATE, NONPROFIT ORGANIZATION.—The term ‘private, nonprofit organization’ includes a religious organization, to which the provisions of section 679 shall apply.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Health and Human Services.

“(5) STATE.—The term ‘State’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

42 USC 9903.

**"SEC. 674. AUTHORIZATION OF APPROPRIATIONS.**

"(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 1999 through 2003 to carry out the provisions of this subtitle (other than sections 681 and 682).

"(b) RESERVATIONS.—Of the amounts appropriated under subsection (a) for each fiscal year, the Secretary shall reserve—

"(1)  $\frac{1}{2}$  of 1 percent for carrying out section 675A (relating to payments for territories);

"(2)  $1\frac{1}{2}$  percent for activities authorized in sections 678A through 678F, of which—

"(A) not less than  $\frac{1}{2}$  of the amount reserved by the Secretary under this paragraph shall be distributed directly to eligible entities, organizations, or associations described in section 678A(c)(2) for the purpose of carrying out activities described in section 678A(c); and

"(B)  $\frac{1}{2}$  of the remainder of the amount reserved by the Secretary under this paragraph shall be used by the Secretary to carry out evaluation and to assist States in carrying out corrective action activities and monitoring (to correct programmatic deficiencies of eligible entities), as described in sections 678B(c) and 678A; and

"(3) 9 percent for carrying out section 680 (relating to discretionary activities) and section 678E(b)(2).

42 USC 9904.

**"SEC. 675. ESTABLISHMENT OF BLOCK GRANT PROGRAM.**

"The Secretary is authorized to establish a community services block grant program and make grants through the program to States to ameliorate the causes of poverty in communities within the States.

42 USC 9905.

**"SEC. 675A. DISTRIBUTION TO TERRITORIES.**

"(a) APPORTIONMENT.—The Secretary shall apportion the amount reserved under section 674(b)(1) for each fiscal year on the basis of need among Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

"(b) APPLICATION.—Each jurisdiction to which subsection (a) applies may receive a grant under this section for the amount apportioned under subsection (a) on submitting to the Secretary, and obtaining approval of, an application, containing provisions that describe the programs for which assistance is sought under this section, that is prepared in accordance with, and contains the information described in, section 676.

42 USC 9906.

**"SEC. 675B. ALLOTMENTS AND PAYMENTS TO STATES.**

"(a) ALLOTMENTS IN GENERAL.—The Secretary shall, from the amount appropriated under section 674(a) for each fiscal year that remains after the Secretary makes the reservations required in section 674(b), allot to each State (subject to section 677) an amount that bears the same ratio to such remaining amount as the amount received by the State for fiscal year 1981 under section 221 of the Economic Opportunity Act of 1964 bore to the total amount received by all States for fiscal year 1981 under such section, except—

"(1) that no State shall receive less than  $\frac{1}{4}$  of 1 percent of the amount appropriated under section 674(a) for such fiscal year; and

“(2) as provided in subsection (b).

“(b) ALLOTMENTS IN YEARS WITH GREATER AVAILABLE FUNDS.—

“(1) MINIMUM ALLOTMENTS.—Subject to paragraphs (2) and (3), if the amount appropriated under section 674(a) for a fiscal year that remains after the Secretary makes the reservations required in section 674(b) exceeds \$345,000,000, the Secretary shall allot to each State not less than  $\frac{1}{2}$  of 1 percent of the amount appropriated under section 674(a) for such fiscal year.

“(2) MAINTENANCE OF FISCAL YEAR 1990 LEVELS.—Paragraph (1) shall not apply with respect to a fiscal year if the amount allotted under subsection (a) to any State for that year is less than the amount allotted under section 674(a)(1) (as in effect on September 30, 1989) to such State for fiscal year 1990.

“(3) MAXIMUM ALLOTMENTS.—The amount allotted under paragraph (1) to a State for a fiscal year shall be reduced, if necessary, so that the aggregate amount allotted to such State under such paragraph and subsection (a) does not exceed 140 percent of the aggregate amount allotted to such State under the corresponding provisions of this subtitle for the preceding fiscal year.

“(c) PAYMENTS.—The Secretary shall make grants to eligible States for the allotments described in subsections (a) and (b). The Secretary shall make payments for the grants in accordance with section 6503(a) of title 31, United States Code.

“(d) DEFINITION.—In this section, the term ‘State’ does not include Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

“SEC. 675C. USES OF FUNDS.

42 USC 9907.

“(a) GRANTS TO ELIGIBLE ENTITIES AND OTHER ORGANIZATIONS.—

“(1) IN GENERAL.—Not less than 90 percent of the funds made available to a State under section 675A or 675B shall be used by the State to make grants for the purposes described in section 672 to eligible entities.

“(2) OBLIGATIONAL AUTHORITY.—Funds distributed to eligible entities through grants made in accordance with paragraph (1) for a fiscal year shall be available for obligation during that fiscal year and the succeeding fiscal year, subject to paragraph (3).

“(3) RECAPTURE AND REDISTRIBUTION OF UNOBLIGATED FUNDS.—

“(A) AMOUNT.—Beginning on October 1, 2000, a State may recapture and redistribute funds distributed to an eligible entity through a grant made under paragraph (1) that are unobligated at the end of a fiscal year if such unobligated funds exceed 20 percent of the amount so distributed to such eligible entity for such fiscal year.

“(B) REDISTRIBUTION.—In redistributing funds recaptured in accordance with this paragraph, States shall redistribute such funds to an eligible entity, or require the original recipient of the funds to redistribute the funds to a private, nonprofit organization, located within the community served by the original recipient of the funds, for activities consistent with the purposes of this subtitle.

“(b) STATEWIDE ACTIVITIES.—

“(1) USE OF REMAINDER.—If a State uses less than 100 percent of the grant or allotment received under section 675A or 675B to make grants under subsection (a), the State shall use the remainder of the grant or allotment under section 675A or 675B (subject to paragraph (2)) for activities that may include—

“(A) providing training and technical assistance to those entities in need of such training and assistance;

“(B) coordinating State-operated programs and services, and at the option of the State, locally-operated programs and services, targeted to low-income children and families with services provided by eligible entities and other organizations funded under this subtitle, including detailing appropriate employees of State or local agencies to entities funded under this subtitle, to ensure increased access to services provided by such State or local agencies;

“(C) supporting statewide coordination and communication among eligible entities;

“(D) analyzing the distribution of funds made available under this subtitle within the State to determine if such funds have been targeted to the areas of greatest need;

“(E) supporting asset-building programs for low-income individuals, such as programs supporting individual development accounts;

“(F) supporting innovative programs and activities conducted by community action agencies or other neighborhood-based organizations to eliminate poverty, promote self-sufficiency, and promote community revitalization;

“(G) supporting State charity tax credits as described in subsection (c); and

“(H) supporting other activities, consistent with the purposes of this subtitle.

“(2) ADMINISTRATIVE CAP.—No State may spend more than the greater of \$55,000, or 5 percent, of the grant received under section 675A or State allotment received under section 675B for administrative expenses, including monitoring activities. Funds to be spent for such expenses shall be taken from the portion of the grant under section 675A or State allotment that remains after the State makes grants to eligible entities under subsection (a). The cost of activities conducted under paragraph (1)(A) shall not be considered to be administrative expenses. The startup cost and cost of administrative activities conducted under subsection (c) shall be considered to be administrative expenses.

“(c) CHARITY TAX CREDIT.—

“(1) IN GENERAL.—Subject to paragraph (2), if there is in effect under State law a charity tax credit, the State may use for any purpose the amount of the allotment that is available for expenditure under subsection (b).

“(2) LIMIT.—The aggregate amount a State may use under paragraph (1) during a fiscal year shall not exceed 100 percent of the revenue loss of the State during the fiscal year that is attributable to the charity tax credit, as determined by the Secretary of the Treasury without regard to any such revenue loss occurring before January 1, 1999.

“(3) DEFINITIONS AND RULES.—In this subsection:

“(A) CHARITY TAX CREDIT.—The term ‘charity tax credit’ means a nonrefundable credit against State income tax (or, in the case of a State that does not impose an income tax, a comparable benefit) that is allowable for contributions, in cash or in kind, to qualified charities.

“(B) QUALIFIED CHARITY.—

“(i) IN GENERAL.—The term ‘qualified charity’ means any organization—

“(I) that is—

“(aa) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

“(bb) an eligible entity; or

“(cc) a public housing agency as defined in section 3(b)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(6));

“(II) that is certified by the appropriate State authority as meeting the requirements of clauses (iii) and (iv); and

“(III) if such organization is otherwise required to file a return under section 6033 of such Code, that elects to treat the information required to be furnished by clause (v) as being specified in section 6033(b) of such Code.

“(ii) CERTAIN CONTRIBUTIONS TO COLLECTION ORGANIZATIONS TREATED AS CONTRIBUTIONS TO QUALIFIED CHARITY.—

“(I) IN GENERAL.—A contribution to a collection organization shall be treated as a contribution to a qualified charity if the donor designates in writing that the contribution is for the qualified charity.

“(II) COLLECTION ORGANIZATION.—The term ‘collection organization’ means an organization described in section 501(c)(3) of such Code and exempt from tax under section 501(a) of such Code—

“(aa) that solicits and collects gifts and grants that, by agreement, are distributed to qualified charities;

“(bb) that distributes to qualified charities at least 90 percent of the gifts and grants the organization receives that are designated for such qualified charities; and

“(cc) that meets the requirements of clause (vi).

“(iii) CHARITY MUST PRIMARILY ASSIST POOR INDIVIDUALS.—

“(I) IN GENERAL.—An organization meets the requirements of this clause only if the appropriate State authority reasonably expects that the predominant activity of such organization will be the provision of direct services within the United States to individuals and families whose annual incomes generally do not exceed 185 percent of the poverty line in order to prevent or alleviate poverty among such individuals and families.

“(II) NO RECORDKEEPING IN CERTAIN CASES.—An organization shall not be required to establish or maintain records with respect to the incomes of individuals and families for purposes of subclause (I) if such individuals or families are members of groups that are generally recognized as including substantially only individuals and families described in subclause (I).

“(III) FOOD AID AND HOMELESS SHELTERS.—Except as otherwise provided by the appropriate State authority, for purposes of subclause (I), services to individuals in the form of—

“(aa) donations of food or meals; or

“(bb) temporary shelter to homeless individuals;

shall be treated as provided to individuals described in subclause (I) if the location and provision of such services are such that the service provider may reasonably conclude that the beneficiaries of such services are predominantly individuals described in subclause (I).

“(iv) MINIMUM EXPENSE REQUIREMENT.—

“(I) IN GENERAL.—An organization meets the requirements of this clause only if the appropriate State authority reasonably expects that the annual poverty program expenses of such organization will not be less than 75 percent of the annual aggregate expenses of such organization.

“(II) POVERTY PROGRAM EXPENSE.—For purposes of subclause (I)—

“(aa) IN GENERAL.—The term ‘poverty program expense’ means any expense in providing direct services referred to in clause (iii).

“(bb) EXCEPTIONS.—Such term shall not include any management or general expense, any expense for the purpose of influencing legislation (as defined in section 4911(d) of the Internal Revenue Code of 1986), any expense for the purpose of fundraising, any expense for a legal service provided on behalf of any individual referred to in clause (iii), any expense for providing tuition assistance relating to compulsory school attendance, and any expense that consists of a payment to an affiliate of the organization.

“(v) REPORTING REQUIREMENT.—The information required to be furnished under this clause about an organization is—

“(I) the percentages determined by dividing the following categories of the organization’s expenses for the year by the total expenses of the organization for the year: expenses for direct services, management expenses, general expenses, fundraising expenses, and payments to affiliates; and

“(II) the category or categories (including food, shelter, education, substance abuse prevention or

treatment, job training, or other) of services that constitute predominant activities of the organization.

“(vi) **ADDITIONAL REQUIREMENTS FOR COLLECTION ORGANIZATIONS.**—The requirements of this clause are met if the organization—

“(I) maintains separate accounting for revenues and expenses; and

“(II) makes available to the public information on the administrative and fundraising costs of the organization, and information as to the organizations receiving funds from the organization and the amount of such funds.

“(vii) **SPECIAL RULE FOR STATES REQUIRING TAX UNIFORMITY.**—In the case of a State—

“(I) that has a constitutional requirement of tax uniformity; and

“(II) that, as of December 31, 1997, imposed a tax on personal income with—

“(aa) a single flat rate applicable to all earned and unearned income (except insofar as any amount is not taxed pursuant to tax forgiveness provisions); and

“(bb) no generally available exemptions or deductions to individuals;

the requirement of paragraph (2) shall be treated as met if the amount of the credit described in paragraph (2) is limited to a uniform percentage (but not greater than 25 percent) of State personal income tax liability (determined without regard to credits).

“(4) **LIMITATION ON USE OF FUNDS FOR STARTUP AND ADMINISTRATIVE ACTIVITIES.**—Except to the extent provided in subsection (b)(2), no part of the aggregate amount a State uses under paragraph (1) may be used to pay for the cost of the startup and administrative activities conducted under this subsection.

“(5) **PROHIBITION ON USE OF FUNDS FOR LEGAL SERVICES OR TUITION ASSISTANCE.**—No part of the aggregate amount a State uses under paragraph (1) may be used to provide legal services or to provide tuition assistance related to compulsory education requirements (not including tuition assistance for tutoring, camps, skills development, or other supplemental services or training).

“(6) **PROHIBITION ON SUPPLANTING FUNDS.**—No part of the aggregate amount a State uses under paragraph (1) may be used to supplant non-Federal funds that would be available, in the absence of Federal funds, to offset a revenue loss of the State attributable to a charity tax credit.

“**SEC. 676. APPLICATION AND PLAN.**

42 USC 9908.

“(a) **DESIGNATION OF LEAD AGENCY.**—

“(1) **DESIGNATION.**—The chief executive officer of a State desiring to receive a grant or allotment under section 675A or 675B shall designate, in an application submitted to the Secretary under subsection (b), an appropriate State agency that complies with the requirements of paragraph (2) to act

as a lead agency for purposes of carrying out State activities under this subtitle.

“(2) DUTIES.—The lead agency shall—

“(A) develop the State plan to be submitted to the Secretary under subsection (b);

“(B) in conjunction with the development of the State plan as required under subsection (b), hold at least one hearing in the State with sufficient time and statewide distribution of notice of such hearing, to provide to the public an opportunity to comment on the proposed use and distribution of funds to be provided through the grant or allotment under section 675A or 675B for the period covered by the State plan; and

“(C) conduct reviews of eligible entities under section 678B.

“(3) LEGISLATIVE HEARING.—In order to be eligible to receive a grant or allotment under section 675A or 675B, the State shall hold at least one legislative hearing every 3 years in conjunction with the development of the State plan.

“(b) STATE APPLICATION AND PLAN.—Beginning with fiscal year 2000, to be eligible to receive a grant or allotment under section 675A or 675B, a State shall prepare and submit to the Secretary an application and State plan covering a period of not less than 1 fiscal year and not more than 2 fiscal years. The plan shall be submitted not later than 30 days prior to the beginning of the first fiscal year covered by the plan, and shall contain such information as the Secretary shall require, including—

“(1) an assurance that funds made available through the grant or allotment will be used—

“(A) to support activities that are designed to assist low-income families and individuals, including families and individuals receiving assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), homeless families and individuals, migrant or seasonal farmworkers, and elderly low-income individuals and families, and a description of how such activities will enable the families and individuals—

“(i) to remove obstacles and solve problems that block the achievement of self-sufficiency (including self-sufficiency for families and individuals who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act);

“(ii) to secure and retain meaningful employment;

“(iii) to attain an adequate education, with particular attention toward improving literacy skills of the low-income families in the communities involved, which may include carrying out family literacy initiatives;

“(iv) to make better use of available income;

“(v) to obtain and maintain adequate housing and a suitable living environment;

“(vi) to obtain emergency assistance through loans, grants, or other means to meet immediate and urgent family and individual needs; and

“(vii) to achieve greater participation in the affairs of the communities involved, including the development of public and private grassroots partnerships with local

law enforcement agencies, local housing authorities, private foundations, and other public and private partners to—

“(I) document best practices based on successful grassroots intervention in urban areas, to develop methodologies for widespread replication; and

“(II) strengthen and improve relationships with local law enforcement agencies, which may include participation in activities such as neighborhood or community policing efforts;

“(B) to address the needs of youth in low-income communities through youth development programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration in meeting the needs of youth, and support development and expansion of innovative community-based youth development programs that have demonstrated success in preventing or reducing youth crime, such as—

“(i) programs for the establishment of violence-free zones that would involve youth development and intervention models (such as models involving youth mediation, youth mentoring, life skills training, job creation, and entrepreneurship programs); and

“(ii) after-school child care programs; and

“(C) to make more effective use of, and to coordinate with, other programs related to the purposes of this subtitle (including State welfare reform efforts);

“(2) a description of how the State intends to use discretionary funds made available from the remainder of the grant or allotment described in section 675C(b) in accordance with this subtitle, including a description of how the State will support innovative community and neighborhood-based initiatives related to the purposes of this subtitle;

“(3) information provided by eligible entities in the State, containing—

“(A) a description of the service delivery system, for services provided or coordinated with funds made available through grants made under section 675C(a), targeted to low-income individuals and families in communities within the State;

“(B) a description of how linkages will be developed to fill identified gaps in the services, through the provision of information, referrals, case management, and followup consultations;

“(C) a description of how funds made available through grants made under section 675C(a) will be coordinated with other public and private resources; and

“(D) a description of how the local entity will use the funds to support innovative community and neighborhood-based initiatives related to the purposes of this subtitle, which may include fatherhood initiatives and other initiatives with the goal of strengthening families and encouraging effective parenting;

"(4) an assurance that eligible entities in the State will provide, on an emergency basis, for the provision of such supplies and services, nutritious foods, and related services, as may be necessary to counteract conditions of starvation and malnutrition among low-income individuals;

"(5) an assurance that the State and the eligible entities in the State will coordinate, and establish linkages between, governmental and other social services programs to assure the effective delivery of such services to low-income individuals and to avoid duplication of such services, and a description of how the State and the eligible entities will coordinate the provision of employment and training activities, as defined in section 101 of such Act, in the State and in communities with entities providing activities through statewide and local workforce investment systems under the Workforce Investment Act of 1998;

"(6) an assurance that the State will ensure coordination between antipoverty programs in each community in the State, and ensure, where appropriate, that emergency energy crisis intervention programs under title XXVI (relating to low-income home energy assistance) are conducted in such community;

"(7) an assurance that the State will permit and cooperate with Federal investigations undertaken in accordance with section 678D;

"(8) an assurance that any eligible entity in the State that received funding in the previous fiscal year through a community services block grant made under this subtitle will not have its funding terminated under this subtitle, or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the State determines that cause exists for such termination or such reduction, subject to review by the Secretary as provided in section 678C(b);

"(9) an assurance that the State and eligible entities in the State will, to the maximum extent possible, coordinate programs with and form partnerships with other organizations serving low-income residents of the communities and members of the groups served by the State, including religious organizations, charitable groups, and community organizations;

"(10) an assurance that the State will require each eligible entity in the State to establish procedures under which a low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board (or other mechanism) of the eligible entity to petition for adequate representation;

"(11) an assurance that the State will secure from each eligible entity in the State, as a condition to receipt of funding by the entity through a community services block grant made under this subtitle for a program, a community action plan (which shall be submitted to the Secretary, at the request of the Secretary, with the State plan) that includes a community-needs assessment for the community served, which may be coordinated with community-needs assessments conducted for other programs;

"(12) an assurance that the State and all eligible entities in the State will, not later than fiscal year 2001, participate

in the Results Oriented Management and Accountability System, another performance measure system for which the Secretary facilitated development pursuant to section 678E(b), or an alternative system for measuring performance and results that meets the requirements of that section, and a description of outcome measures to be used to measure eligible entity performance in promoting self-sufficiency, family stability, and community revitalization; and

“(13) information describing how the State will carry out the assurances described in this subsection.

“(c) FUNDING TERMINATION OR REDUCTIONS.—For purposes of making a determination in accordance with subsection (b)(8) with respect to—

“(1) a funding reduction, the term ‘cause’ includes—

“(A) a statewide redistribution of funds provided through a community services block grant under this subtitle to respond to—

“(i) the results of the most recently available census or other appropriate data;

“(ii) the designation of a new eligible entity; or

“(iii) severe economic dislocation; or

“(B) the failure of an eligible entity to comply with the terms of an agreement or a State plan, or to meet a State requirement, as described in section 678C(a); and

“(2) a termination, the term ‘cause’ includes the failure of an eligible entity to comply with the terms of an agreement or a State plan, or to meet a State requirement, as described in section 678C(a).

“(d) PROCEDURES AND INFORMATION.—The Secretary may prescribe procedures for the purpose of assessing the effectiveness of eligible entities in carrying out the purposes of this subtitle.

“(e) REVISIONS AND INSPECTION.—

“(1) REVISIONS.—The chief executive officer of each State may revise any plan prepared under this section and shall submit the revised plan to the Secretary.

“(2) PUBLIC INSPECTION.—Each plan or revised plan prepared under this section shall be made available for public inspection within the State in such a manner as will facilitate review of, and comment on, the plan.

“(f) TRANSITION.—For fiscal year 2000, to be eligible to receive a grant or allotment under section 675A or 675B, a State shall prepare and submit to the Secretary an application and State plan in accordance with the provisions of this subtitle (as in effect on the day before the date of enactment of the Coats Human Services Reauthorization Act of 1998), rather than the provisions of subsections (a) through (c) relating to applications and plans.

**“SEC. 676A. DESIGNATION AND REDESIGNATION OF ELIGIBLE ENTITIES IN UNSERVED AREAS.** 42 USC 9909.

“(a) QUALIFIED ORGANIZATION IN OR NEAR AREA.—

“(1) IN GENERAL.—If any geographic area of a State is not, or ceases to be, served by an eligible entity under this subtitle, and if the chief executive officer of the State decides to serve such area, the chief executive officer may solicit applications from, and designate as an eligible entity—

“(A) a private nonprofit organization (which may include an eligible entity) that is geographically located

in the unserved area, that is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency, and that meets the requirements of this subtitle; and

“(B) a private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area.

“(2) REQUIREMENT.—In order to serve as the eligible entity for the area, an entity described in paragraph (1)(B) shall agree to add additional members to the board of the entity to ensure adequate representation—

“(A) in each of the three required categories described in subparagraphs (A), (B), and (C) of section 676B(a)(2), by members that reside in the community comprised by the unserved area; and

“(B) in the category described in section 676B(a)(2)(B), by members that reside in the neighborhood to be served.

“(b) SPECIAL CONSIDERATION.—In designating an eligible entity under subsection (a), the chief executive officer shall grant the designation to an organization of demonstrated effectiveness in meeting the goals and purposes of this subtitle and may give priority, in granting the designation, to eligible entities that are providing related services in the unserved area, consistent with the needs identified by a community-needs assessment.

“(c) NO QUALIFIED ORGANIZATION IN OR NEAR AREA.—If no private, nonprofit organization is identified or determined to be qualified under subsection (a) to serve the unserved area as an eligible entity the chief executive officer may designate an appropriate political subdivision of the State to serve as an eligible entity for the area. In order to serve as the eligible entity for that area, the political subdivision shall have a board or other mechanism as required in section 676B(b).

42 USC 9910.

#### “SEC. 676B. TRIPARTITE BOARDS.

“(a) PRIVATE NONPROFIT ENTITIES.—

“(1) BOARD.—In order for a private, nonprofit entity to be considered to be an eligible entity for purposes of section 673(1), the entity shall administer the community services block grant program through a tripartite board described in paragraph (2) that fully participates in the development, planning, implementation, and evaluation of the program to serve low-income communities.

“(2) SELECTION AND COMPOSITION OF BOARD.—The members of the board referred to in paragraph (1) shall be selected by the entity and the board shall be composed so as to assure that—

“(A)  $\frac{1}{3}$  of the members of the board are elected public officials, holding office on the date of selection, or their representatives, except that if the number of such elected officials reasonably available and willing to serve on the board is less than  $\frac{1}{3}$  of the membership of the board, membership on the board of appointive public officials or their representatives may be counted in meeting such  $\frac{1}{3}$  requirement;

“(B)(i) not fewer than  $\frac{1}{3}$  of the members are persons chosen in accordance with democratic selection procedures

adequate to assure that these members are representative of low-income individuals and families in the neighborhood served; and

“(ii) each representative of low-income individuals and families selected to represent a specific neighborhood within a community under clause (i) resides in the neighborhood represented by the member; and

“(C) the remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served.

“(b) PUBLIC ORGANIZATIONS.—In order for a public organization to be considered to be an eligible entity for purposes of section 673(1), the entity shall administer the community services block grant program through—

“(1) a tripartite board, which shall have members selected by the organization and shall be composed so as to assure that not fewer than  $\frac{1}{3}$  of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members—

“(A) are representative of low-income individuals and families in the neighborhood served;

“(B) reside in the neighborhood served; and

“(C) are able to participate actively in the development, planning, implementation, and evaluation of programs funded under this subtitle; or

“(2) another mechanism specified by the State to assure decisionmaking and participation by low-income individuals in the development, planning, implementation, and evaluation of programs funded under this subtitle.

“SEC. 677. PAYMENTS TO INDIAN TRIBES.

42 USC 9911.

“(a) RESERVATION.—If, with respect to any State, the Secretary—

“(1) receives a request from the governing body of an Indian tribe or tribal organization within the State that assistance under this subtitle be made directly to such tribe or organization; and

“(2) determines that the members of such tribe or tribal organization would be better served by means of grants made directly to provide benefits under this subtitle,

the Secretary shall reserve from amounts that would otherwise be allotted to such State under section 675B for the fiscal year the amount determined under subsection (b).

“(b) DETERMINATION OF RESERVED AMOUNT.—The Secretary shall reserve for the purpose of subsection (a) from amounts that would otherwise be allotted to such State, not less than 100 percent of an amount that bears the same ratio to the State allotment for the fiscal year involved as the population of all eligible Indians for whom a determination has been made under subsection (a) bears to the population of all individuals eligible for assistance through a community services block grant made under this subtitle in such State.

“(c) AWARDS.—The sums reserved by the Secretary on the basis of a determination made under subsection (a) shall be made available by grant to the Indian tribe or tribal organization serving the individuals for whom such a determination has been made.

“(d) PLAN.—In order for an Indian tribe or tribal organization to be eligible for a grant award for a fiscal year under this section, the tribe or organization shall submit to the Secretary a plan for such fiscal year that meets such criteria as the Secretary may prescribe by regulation.

“(e) DEFINITIONS.—In this section:

“(1) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms ‘Indian tribe’ and ‘tribal organization’ mean a tribe, band, or other organized group recognized in the State in which the tribe, band, or group resides, or considered by the Secretary of the Interior, to be an Indian tribe or an Indian organization for any purpose.

“(2) INDIAN.—The term ‘Indian’ means a member of an Indian tribe or of a tribal organization.

42 USC 9912.

**“SEC. 678. OFFICE OF COMMUNITY SERVICES.**

Establishment.

“(a) OFFICE.—The Secretary shall carry out the functions of this subtitle through an Office of Community Services, which shall be established in the Department of Health and Human Services. The Office shall be headed by a Director.

“(b) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary shall carry out functions of this subtitle through grants, contracts, or cooperative agreements.

42 USC 9913.

**“SEC. 678A. TRAINING, TECHNICAL ASSISTANCE, AND OTHER ACTIVITIES.**

“(a) ACTIVITIES.—

“(1) IN GENERAL.—The Secretary shall use amounts reserved in section 674(b)(2)—

“(A) for training, technical assistance, planning, evaluation, and performance measurement, to assist States in carrying out corrective action activities and monitoring (to correct programmatic deficiencies of eligible entities), and for reporting and data collection activities, related to programs carried out under this subtitle; and

“(B) to distribute amounts in accordance with subsection (c).

“(2) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The activities described in paragraph (1)(A) may be carried out by the Secretary through grants, contracts, or cooperative agreements with appropriate entities.

“(b) TERMS AND TECHNICAL ASSISTANCE PROCESS.—The process for determining the training and technical assistance to be carried out under this section shall—

“(1) ensure that the needs of eligible entities and programs relating to improving program quality (including quality of financial management practices) are addressed to the maximum extent feasible; and

“(2) incorporate mechanisms to ensure responsiveness to local needs, including an ongoing procedure for obtaining input from the national and State networks of eligible entities.

“(c) DISTRIBUTION REQUIREMENT.—

“(1) IN GENERAL.—The amounts reserved under section 674(b)(2)(A) for activities to be carried out under this subsection shall be distributed directly to eligible entities, organizations, or associations described in paragraph (2) for the purpose of improving program quality (including quality of financial management practices), management information and reporting

systems, and measurement of program results, and for the purpose of ensuring responsiveness to identified local needs.

“(2) **ELIGIBLE ENTITIES, ORGANIZATIONS, OR ASSOCIATIONS.**—Eligible entities, organizations, or associations described in this paragraph shall be eligible entities, or statewide or local organizations or associations, with demonstrated expertise in providing training to individuals and organizations on methods of effectively addressing the needs of low-income families and communities.

“**SEC. 678B. MONITORING OF ELIGIBLE ENTITIES.**

42 USC 9914.

“(a) **IN GENERAL.**—In order to determine whether eligible entities meet the performance goals, administrative standards, financial management requirements, and other requirements of a State, the State shall conduct the following reviews of eligible entities:

“(1) A full onsite review of each such entity at least once during each 3-year period.

“(2) An onsite review of each newly designated entity immediately after the completion of the first year in which such entity receives funds through the community services block grant program.

“(3) Followup reviews including prompt return visits to eligible entities, and their programs, that fail to meet the goals, standards, and requirements established by the State.

“(4) Other reviews as appropriate, including reviews of entities with programs that have had other Federal, State, or local grants (other than assistance provided under this subtitle) terminated for cause.

“(b) **REQUESTS.**—The State may request training and technical assistance from the Secretary as needed to comply with the requirements of this section.

“(c) **EVALUATIONS BY THE SECRETARY.**—The Secretary shall conduct in several States in each fiscal year evaluations (including investigations) of the use of funds received by the States under this subtitle in order to evaluate compliance with the provisions of this subtitle, and especially with respect to compliance with section 676(b). The Secretary shall submit, to each State evaluated, a report containing the results of such evaluations, and recommendations of improvements designed to enhance the benefit and impact of the activities carried out with such funds for people in need. On receiving the report, the State shall submit to the Secretary a plan of action in response to the recommendations contained in the report. The results of the evaluations shall be submitted annually to the Chairperson of the Committee on Education and the Workforce of the House of Representatives and the Chairperson of the Committee on Labor and Human Resources of the Senate as part of the report submitted by the Secretary in accordance with section 678E(b)(2).

Reports.

“**SEC. 678C. CORRECTIVE ACTION; TERMINATION AND REDUCTION OF FUNDING.**

42 USC 9915.

“(a) **DETERMINATION.**—If the State determines, on the basis of a final decision in a review pursuant to section 678B, that an eligible entity fails to comply with the terms of an agreement, or the State plan, to provide services under this subtitle or to meet appropriate standards, goals, and other requirements established by the State (including performance objectives), the State shall—

“(1) inform the entity of the deficiency to be corrected;

“(2) require the entity to correct the deficiency;

“(3)(A) offer training and technical assistance, if appropriate, to help correct the deficiency, and prepare and submit to the Secretary a report describing the training and technical assistance offered; or

“(B) if the State determines that such training and technical assistance are not appropriate, prepare and submit to the Secretary a report stating the reasons for the determination;

“(4)(A) at the discretion of the State (taking into account the seriousness of the deficiency and the time reasonably required to correct the deficiency), allow the entity to develop and implement, within 60 days after being informed of the deficiency, a quality improvement plan to correct such deficiency within a reasonable period of time, as determined by the State; and

“(B) not later than 30 days after receiving from an eligible entity a proposed quality improvement plan pursuant to subparagraph (A), either approve such proposed plan or specify the reasons why the proposed plan cannot be approved; and

“(5) after providing adequate notice and an opportunity for a hearing, initiate proceedings to terminate the designation of or reduce the funding under this subtitle of the eligible entity unless the entity corrects the deficiency.

Deadline.

“(b) REVIEW.—A determination to terminate the designation or reduce the funding of an eligible entity is reviewable by the Secretary. The Secretary shall, upon request, review such a determination. The review shall be completed not later than 90 days after the Secretary receives from the State all necessary documentation relating to the determination to terminate the designation or reduce the funding. If the review is not completed within 90 days, the determination of the State shall become final at the end of the 90th day.

“(c) DIRECT ASSISTANCE.—Whenever a State violates the assurances contained in section 676(b)(8) and terminates or reduces the funding of an eligible entity prior to the completion of the State hearing described in that section and the Secretary's review as required in subsection (b), the Secretary is authorized to provide financial assistance under this subtitle to the eligible entity affected until the violation is corrected. In such a case, the grant or allotment for the State under section 675A or 675B for the earliest appropriate fiscal year shall be reduced by an amount equal to the funds provided under this subsection to such eligible entity.

42 USC 9916.

“SEC. 678D. FISCAL CONTROLS, AUDITS, AND WITHHOLDING.

“(a) FISCAL CONTROLS, PROCEDURES, AUDITS, AND INSPECTIONS.—

“(1) IN GENERAL.—A State that receives funds under this subtitle shall—

“(A) establish fiscal control and fund accounting procedures necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this subtitle, including procedures for monitoring the funds provided under this subtitle;

“(B) ensure that cost and accounting standards of the Office of Management and Budget apply to a recipient of the funds under this subtitle;

“(C) subject to paragraph (2), prepare, at least every year, an audit of the expenditures of the State of amounts received under this subtitle and amounts transferred to carry out the purposes of this subtitle; and

“(D) make appropriate books, documents, papers, and records available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for examination, copying, or mechanical reproduction on or off the premises of the appropriate entity upon a reasonable request for the items.

“(2) AUDITS.—

“(A) IN GENERAL.—Subject to subparagraph (B), each audit required by subsection (a)(1)(C) shall be conducted by an entity independent of any agency administering activities or services carried out under this subtitle and shall be conducted in accordance with generally accepted accounting principles.

“(B) SINGLE AUDIT REQUIREMENTS.—Audits shall be conducted under this paragraph in the manner and to the extent provided in chapter 75 of title 31, United States Code (commonly known as the ‘Single Audit Act Amendments of 1996’).

“(C) SUBMISSION OF COPIES.—Within 30 days after the completion of each such audit in a State, the chief executive officer of the State shall submit a copy of such audit to any eligible entity that was the subject of the audit at no charge, to the legislature of the State, and to the Secretary.

“(3) REPAYMENTS.—The State shall repay to the United States amounts found not to have been expended in accordance with this subtitle or the Secretary may offset such amounts against any other amount to which the State is or may become entitled under this subtitle.

“(b) WITHHOLDING.—

“(1) IN GENERAL.—The Secretary shall, after providing adequate notice and an opportunity for a hearing conducted within the affected State, withhold funds from any State that does not utilize the grant or allotment under section 675A or 675B in accordance with the provisions of this subtitle, including the assurances such State provided under section 676.

“(2) RESPONSE TO COMPLAINTS.—The Secretary shall respond in an expeditious and speedy manner to complaints of a substantial or serious nature that a State has failed to use funds in accordance with the provisions of this subtitle, including the assurances provided by the State under section 676. For purposes of this paragraph, a complaint of a failure to meet any one of the assurances provided under section 676 that constitutes disregarding that assurance shall be considered to be a complaint of a serious nature.

“(3) INVESTIGATIONS.—Whenever the Secretary determines that there is a pattern of complaints of failures described in paragraph (2) from any State in any fiscal year, the Secretary shall conduct an investigation of the use of funds received under this subtitle by such State in order to ensure compliance with the provisions of this subtitle.

42 USC 9917.

**"SEC. 678E. ACCOUNTABILITY AND REPORTING REQUIREMENTS.****"(a) STATE ACCOUNTABILITY AND REPORTING REQUIREMENTS.—****"(1) PERFORMANCE MEASUREMENT.—**

**"(A) IN GENERAL.**—By October 1, 2001, each State that receives funds under this subtitle shall participate, and shall ensure that all eligible entities in the State participate, in a performance measurement system, which may be a performance measurement system for which the Secretary facilitated development pursuant to subsection (b), or an alternative system that the Secretary is satisfied meets the requirements of subsection (b).

**"(B) LOCAL AGENCIES.**—The State may elect to have local agencies that are subcontractors of the eligible entities under this subtitle participate in the performance measurement system. If the State makes that election, references in this section to eligible entities shall be considered to include the local agencies.

**"(2) ANNUAL REPORT.**—Each State shall annually prepare and submit to the Secretary a report on the measured performance of the State and the eligible entities in the State. Prior to the participation of the State in the performance measurement system, the State shall include in the report any information collected by the State relating to such performance. Each State shall also include in the report an accounting of the expenditure of funds received by the State through the community services block grant program, including an accounting of funds spent on administrative costs by the State and the eligible entities, and funds spent by eligible entities on the direct delivery of local services, and shall include information on the number of and characteristics of clients served under this subtitle in the State, based on data collected from the eligible entities. The State shall also include in the report a summary describing the training and technical assistance offered by the State under section 678C(a)(3) during the year covered by the report.

**"(b) SECRETARY'S ACCOUNTABILITY AND REPORTING REQUIREMENTS.—**

**"(1) PERFORMANCE MEASUREMENT.**—The Secretary, in collaboration with the States and with eligible entities throughout the Nation, shall facilitate the development of one or more model performance measurement systems, which may be used by the States and by eligible entities to measure their performance in carrying out the requirements of this subtitle and in achieving the goals of their community action plans. The Secretary shall provide technical assistance, including support for the enhancement of electronic data systems, to States and to eligible entities to enhance their capability to collect and report data for such a system and to aid in their participation in such a system.

**"(2) REPORTING REQUIREMENTS.**—At the end of each fiscal year beginning after September 30, 1999, the Secretary shall, directly or by grant or contract, prepare a report containing—

**"(A)** a summary of the planned use of funds by each State, and the eligible entities in the State, under the community services block grant program, as contained in each State plan submitted pursuant to section 676;

“(B) a description of how funds were actually spent by the State and eligible entities in the State, including a breakdown of funds spent on administrative costs and on the direct delivery of local services by eligible entities;

“(C) information on the number of entities eligible for funds under this subtitle, the number of low-income persons served under this subtitle, and such demographic data on the low-income populations served by eligible entities as is determined by the Secretary to be feasible;

“(D) a comparison of the planned uses of funds for each State and the actual uses of the funds;

“(E) a summary of each State’s performance results, and the results for the eligible entities, as collected and submitted by the States in accordance with subsection (a)(2); and

“(F) any additional information that the Secretary considers to be appropriate to carry out this subtitle, if the Secretary informs the States of the need for such additional information and allows a reasonable period of time for the States to collect and provide the information.

“(3) SUBMISSION.—The Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate the report described in paragraph (2), and any comments the Secretary may have with respect to such report. The report shall include definitions of direct and administrative costs used by the Department of Health and Human Services for programs funded under this subtitle.

“(4) COSTS.—Of the funds reserved under section 674(b)(3), not more than \$350,000 shall be available to carry out the reporting requirements contained in paragraph (2).

**“SEC. 678F. LIMITATIONS ON USE OF FUNDS.**

42 USC 9918.

**“(a) CONSTRUCTION OF FACILITIES.—**

“(1) LIMITATIONS.—Except as provided in paragraph (2), grants made under this subtitle (other than amounts reserved under section 674(b)(3)) may not be used by the State, or by any other person with which the State makes arrangements to carry out the purposes of this subtitle, for the purchase or improvement of land, or the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility.

“(2) WAIVER.—The Secretary may waive the limitation contained in paragraph (1) upon a State request for such a waiver, if the Secretary finds that the request describes extraordinary circumstances to justify the purchase of land or the construction of facilities (or the making of permanent improvements) and that permitting the waiver will contribute to the ability of the State to carry out the purposes of this subtitle.

**“(b) POLITICAL ACTIVITIES.—**

“(1) TREATMENT AS A STATE OR LOCAL AGENCY.—For purposes of chapter 15 of title 5, United States Code, any entity that assumes responsibility for planning, developing, and coordinating activities under this subtitle and receives assistance under this subtitle shall be deemed to be a State or local agency. For purposes of paragraphs (1) and (2) of section

1502(a) of such title, any entity receiving assistance under this subtitle shall be deemed to be a State or local agency.

"(2) PROHIBITIONS.—Programs assisted under this subtitle shall not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel, in a manner supporting or resulting in the identification of such programs with—

"(A) any partisan or nonpartisan political activity or any political activity associated with a candidate, or contending faction or group, in an election for public or party office;

"(B) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or

"(C) any voter registration activity.

"(3) RULES AND REGULATIONS.—The Secretary, after consultation with the Office of Personnel Management, shall issue rules and regulations to provide for the enforcement of this subsection, which shall include provisions for summary suspension of assistance or other action necessary to permit enforcement on an emergency basis.

"(c) NONDISCRIMINATION.—

"(1) IN GENERAL.—No person shall, on the basis of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under this subtitle. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) or with respect to an otherwise qualified individual with a disability as provided in section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) shall also apply to any such program or activity.

Notification.

"(2) ACTION OF SECRETARY.—Whenever the Secretary determines that a State that has received a payment under this subtitle has failed to comply with paragraph (1) or an applicable regulation, the Secretary shall notify the chief executive officer of the State and shall request that the officer secure compliance. If within a reasonable period of time, not to exceed 60 days, the chief executive officer fails or refuses to secure compliance, the Secretary is authorized to—

"(A) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted;

"(B) exercise the powers and functions provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.), as may be applicable; or

"(C) take such other action as may be provided by law.

"(3) ACTION OF ATTORNEY GENERAL.—When a matter is referred to the Attorney General pursuant to paragraph (2), or whenever the Attorney General has reason to believe that

the State is engaged in a pattern or practice of discrimination in violation of the provisions of this subsection, the Attorney General may bring a civil action in any appropriate United States district court for such relief as may be appropriate, including injunctive relief.

**"SEC. 678G. DRUG AND CHILD SUPPORT SERVICES AND REFERRALS. 42 USC 9919.**

**"(a) DRUG TESTING AND REHABILITATION.—**

**"(1) IN GENERAL.**—Nothing in this subtitle shall be construed to prohibit a State from testing participants in programs, activities, or services carried out or provided under this subtitle for controlled substances. A State that conducts such testing shall inform the participants who test positive for any of such substances about the availability of treatment or rehabilitation services and refer such participants for appropriate treatment or rehabilitation services.

**"(2) ADMINISTRATIVE EXPENSES.**—Any funds provided under this subtitle expended for such testing shall be considered to be expended for administrative expenses and shall be subject to the limitation specified in section 675C(b)(2).

**"(3) DEFINITION.**—In this subsection, the term 'controlled substance' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

**"(b) CHILD SUPPORT SERVICES AND REFERRALS.**—During each fiscal year for which an eligible entity receives a grant under section 675C, such entity shall—

**"(1)** inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this subtitle about the availability of child support services; and

**"(2)** refer eligible parents to the child support offices of State and local governments.

**"SEC. 679. OPERATIONAL RULE.**

42 USC 9920.

**"(a) RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.**—For any program carried out by the Federal Government, or by a State or local government under this subtitle, the government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under this subtitle shall discriminate against an organization that provides assistance under, or applies to provide assistance under, this subtitle, on the basis that the organization has a religious character.

**"(b) RELIGIOUS CHARACTER AND INDEPENDENCE.—**

**"(1) IN GENERAL.**—A religious organization that provides assistance under a program described in subsection (a) shall retain its religious character and control over the definition, development, practice, and expression of its religious beliefs.

**"(2) ADDITIONAL SAFEGUARDS.**—Neither the Federal Government nor a State or local government shall require a religious organization—

**"(A)** to alter its form of internal governance, except (for purposes of administration of the community services block grant program) as provided in section 676B; or

“(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide assistance under a program described in subsection (a).

“(3) EMPLOYMENT PRACTICES.—A religious organization’s exemption provided under section 702 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1) regarding employment practices shall not be affected by its participation in, or receipt of funds from, programs described in subsection (a).

“(c) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided directly to a religious organization to provide assistance under any program described in subsection (a) shall be expended for sectarian worship, instruction, or proselytization.

“(d) FISCAL ACCOUNTABILITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (a) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

“(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.

“(e) TREATMENT OF ELIGIBLE ENTITIES AND OTHER INTERMEDIATE ORGANIZATIONS.—If an eligible entity or other organization (referred to in this subsection as an ‘intermediate organization’), acting under a contract, or grant or other agreement, with the Federal Government or a State or local government, is given the authority under the contract or agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (a), the intermediate organization shall have the same duties under this section as the government.

42 USC 9921.

**“SEC. 680. DISCRETIONARY AUTHORITY OF THE SECRETARY.**

“(a) GRANTS, CONTRACTS, ARRANGEMENTS, LOANS, AND GUARANTEES.—

“(1) IN GENERAL.—The Secretary shall, from funds reserved under section 674(b)(3), make grants, loans, or guarantees to States and public agencies and private, nonprofit organizations, or enter into contracts or jointly financed cooperative arrangements with States and public agencies and private, nonprofit organizations (and for-profit organizations, to the extent specified in paragraph (2)(E)) for each of the objectives described in paragraphs (2) through (4).

“(2) COMMUNITY ECONOMIC DEVELOPMENT.—

“(A) ECONOMIC DEVELOPMENT ACTIVITIES.—The Secretary shall make grants described in paragraph (1) on a competitive basis to private, nonprofit organizations that are community development corporations to provide technical and financial assistance for economic development activities designed to address the economic needs of low-income individuals and families by creating employment and business development opportunities.

“(B) CONSULTATION.—The Secretary shall exercise the authority provided under subparagraph (A) after consultation with other relevant Federal officials.

“(C) GOVERNING BOARDS.—For a community development corporation to receive funds to carry out this paragraph, the corporation shall be governed by a board that shall consist of residents of the community and business and civic leaders and shall have as a principal purpose planning, developing, or managing low-income housing or community development projects.

“(D) GEOGRAPHIC DISTRIBUTION.—In making grants to carry out this paragraph, the Secretary shall take into consideration the geographic distribution of funding among States and the relative proportion of funding among rural and urban areas.

“(E) RESERVATION.—Of the amounts made available to carry out this paragraph, the Secretary may reserve not more than 1 percent for each fiscal year to make grants to private, nonprofit organizations or to enter into contracts with private, nonprofit or for-profit organizations to provide technical assistance to aid community development corporations in developing or implementing activities funded to carry out this paragraph and to evaluate activities funded to carry out this paragraph.

“(3) RURAL COMMUNITY DEVELOPMENT ACTIVITIES.—The Secretary shall provide the assistance described in paragraph (1) for rural community development activities, which shall include providing—

“(A) grants to private, nonprofit corporations to enable the corporations to provide assistance concerning home repair to rural low-income families and concerning planning and developing low-income rural rental housing units; and

“(B) grants to multistate, regional, private, nonprofit organizations to enable the organizations to provide training and technical assistance to small, rural communities concerning meeting their community facility needs.

“(4) NEIGHBORHOOD INNOVATION PROJECTS.—The Secretary shall provide the assistance described in paragraph (1) for neighborhood innovation projects, which shall include providing grants to neighborhood-based private, nonprofit organizations to test or assist in the development of new approaches or methods that will aid in overcoming special problems identified by communities or neighborhoods or otherwise assist in furthering the purposes of this subtitle, and which may include providing assistance for projects that are designed to serve low-income individuals and families who are not being effectively served by other programs.

“(b) EVALUATION.—The Secretary shall require all activities receiving assistance under this section to be evaluated for their effectiveness. Funding for such evaluations shall be provided as a stated percentage of the assistance or through a separate grant awarded by the Secretary specifically for the purpose of evaluation of a particular activity or group of activities.

“(c) ANNUAL REPORT.—The Secretary shall compile an annual report containing a summary of the evaluations required in subsection (b) and a listing of all activities assisted under this section. The Secretary shall annually submit the report to the Chairperson of the Committee on Education and the Workforce of the House of Representatives and the Chairperson of the Committee on Labor and Human Resources of the Senate.

Records.

42 USC 9922.

**"SEC. 681. COMMUNITY FOOD AND NUTRITION PROGRAMS.**

"(a) GRANTS.—The Secretary may, through grants to public and private, nonprofit agencies, provide for community-based, local, statewide, and national programs—

"(1) to coordinate private and public food assistance resources, wherever the grant recipient involved determines such coordination to be inadequate, to better serve low-income populations;

"(2) to assist low-income communities to identify potential sponsors of child nutrition programs and to initiate such programs in underserved or unserved areas; and

"(3) to develop innovative approaches at the State and local level to meet the nutrition needs of low-income individuals.

"(b) ALLOTMENTS AND DISTRIBUTION OF FUNDS.—

"(1) NOT TO EXCEED \$6,000,000 IN APPROPRIATIONS.—Of the amount appropriated for a fiscal year to carry out this section (but not to exceed \$6,000,000), the Secretary shall distribute funds for grants under subsection (a) as follows:

"(A) ALLOTMENTS.—From a portion equal to 60 percent of such amount (but not to exceed \$3,600,000), the Secretary shall allot for grants to eligible agencies for statewide programs in each State the amount that bears the same ratio to such portion as the low-income and unemployed population of such State bears to the low-income and unemployed population of all the States.

"(B) COMPETITIVE GRANTS.—From a portion equal to 40 percent of such amount (but not to exceed \$2,400,000), the Secretary shall make grants on a competitive basis to eligible agencies for local and statewide programs.

"(2) GREATER AVAILABLE APPROPRIATIONS.—Any amounts appropriated for a fiscal year to carry out this section in excess of \$6,000,000 shall be allotted as follows:

"(A) ALLOTMENTS.—The Secretary shall use 40 percent of such excess to allot for grants under subsection (a) to eligible agencies for statewide programs in each State an amount that bears the same ratio to 40 percent of such excess as the low-income and unemployed population of such State bears to the low-income and unemployed population of all the States.

"(B) COMPETITIVE GRANTS FOR LOCAL AND STATEWIDE PROGRAMS.—The Secretary shall use 40 percent of such excess to make grants under subsection (a) on a competitive basis to eligible agencies for local and statewide programs.

"(C) COMPETITIVE GRANTS FOR NATIONWIDE PROGRAMS.—The Secretary shall use the remaining 20 percent of such excess to make grants under subsection (a) on a competitive basis to eligible agencies for nationwide programs, including programs benefiting Indians, as defined in section 677, and migrant or seasonal farmworkers.

"(3) ELIGIBILITY FOR ALLOTMENTS FOR STATEWIDE PROGRAMS.—To be eligible to receive an allotment under paragraph (1)(A) or (2)(A), an eligible agency shall demonstrate that the proposed program is statewide in scope and represents a comprehensive and coordinated effort to alleviate hunger within the State.

"(4) MINIMUM ALLOTMENTS FOR STATEWIDE PROGRAMS.—

“(A) IN GENERAL.—From the amounts allotted under paragraphs (1)(A) and (2)(A), the minimum total allotment for each State for each fiscal year shall be—

“(i) \$15,000 if the total amount appropriated to carry out this section is not less than \$7,000,000 but less than \$10,000,000;

“(ii) \$20,000 if the total amount appropriated to carry out this section is not less than \$10,000,000 but less than \$15,000,000; or

“(iii) \$30,000 if the total amount appropriated to carry out this section is not less than \$15,000,000.

“(B) DEFINITION.—In this paragraph, the term ‘State’ does not include Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

“(5) MAXIMUM GRANTS.—From funds made available under paragraphs (1)(B) and (2)(B) for any fiscal year, the Secretary may not make grants under subsection (a) to an eligible agency in an aggregate amount exceeding \$50,000. From funds made available under paragraph (2)(C) for any fiscal year, the Secretary may not make grants under subsection (a) to an eligible agency in an aggregate amount exceeding \$300,000.

“(c) REPORT.—For each fiscal year, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report concerning the grants made under this section. Such report shall include—

“(1) a list of grant recipients;

“(2) information on the amount of funding awarded to each grant recipient; and

“(3) a summary of the activities performed by the grant recipients with funding awarded under this section and a description of the manner in which such activities meet the objectives described in subsection (a).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 1999 through 2003.

“SEC. 682. NATIONAL OR REGIONAL PROGRAMS DESIGNED TO PROVIDE INSTRUCTIONAL ACTIVITIES FOR LOW-INCOME YOUTH.

Records.

42 USC 9923.

“(a) GENERAL AUTHORITY.—The Secretary is authorized to make a grant to an eligible service provider to administer national or regional programs to provide instructional activities for low-income youth. In making such a grant, the Secretary shall give priority to eligible service providers that have a demonstrated ability to operate such a program.

“(b) PROGRAM REQUIREMENTS.—Any instructional activity carried out by an eligible service provider receiving a grant under this section shall be carried out on the campus of an institution of higher education (as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))) and shall include—

“(1) access to the facilities and resources of such an institution;

“(2) an initial medical examination and follow-up referral or treatment, without charge, for youth during their participation in such activity;

"(3) at least one nutritious meal daily, without charge, for participating youth during each day of participation;

"(4) high quality instruction in a variety of sports (that shall include swimming and that may include dance and any other high quality recreational activity) provided by coaches and teachers from institutions of higher education and from elementary and secondary schools (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)); and

"(5) enrichment instruction and information on matters relating to the well-being of youth, to include educational opportunities and information on study practices, education for the prevention of drug and alcohol abuse, and information on health and nutrition, career opportunities, and family and job responsibilities.

"(c) **ADVISORY COMMITTEE; PARTNERSHIPS.**—The eligible service provider shall, in each community in which a program is funded under this section—

"(1) ensure that—

"(A) a community-based advisory committee is established, with representatives from local youth, family, and social service organizations, schools, entities providing park and recreation services, and other community-based organizations serving high-risk youth; or

"(B) an existing community-based advisory board, commission, or committee with similar membership is utilized to serve as the committee described in subparagraph (A); and

"(2) enter into formal partnerships with youth-serving organizations or other appropriate social service entities in order to link program participants with year-round services in their home communities that support and continue the objectives of this subtitle.

"(d) **ELIGIBLE PROVIDERS.**—A service provider that is a national private, nonprofit organization, a coalition of such organizations, or a private, nonprofit organization applying jointly with a business concern shall be eligible to apply for a grant under this section if—

"(1) the applicant has demonstrated experience in operating a program providing instruction to low-income youth;

"(2) the applicant agrees to contribute an amount (in cash or in kind, fairly evaluated) of not less than 25 percent of the amount requested, for the program funded through the grant;

"(3) the applicant agrees to use no funds from a grant authorized under this section for administrative expenses; and

"(4) the applicant agrees to comply with the regulations or program guidelines promulgated by the Secretary for use of funds made available through the grant.

"(e) **APPLICATION PROCESS.**—To be eligible to receive a grant under this section, a service provider shall submit to the Secretary, for approval, an application at such time, in such manner, and containing such information as the Secretary may require.

"(f) **PROMULGATION OF REGULATIONS OR PROGRAM GUIDELINES.**—The Secretary shall promulgate regulations or program guidelines to ensure funds made available through a grant made

under this section are used in accordance with the objectives of this subtitle.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$15,000,000 for each of fiscal years 1999 through 2003 for grants to carry out this section.

**“SEC. 683. REFERENCES.**

42 USC 9924.

“Any reference in any provision of law to the poverty line set forth in section 624 or 625 of the Economic Opportunity Act of 1964 shall be construed to be a reference to the poverty line defined in section 673. Except as otherwise provided, any reference in any provision of law to any community action agency designated under title II of the Economic Opportunity Act of 1964 shall be construed to be a reference to an entity eligible to receive funds under the community services block grant program.”.

**SEC. 202. CONFORMING AMENDMENTS.**

(a) OLDER AMERICANS ACT OF 1965.—Section 306(a)(6)(E)(ii) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)(6)(E)(ii)) is amended by striking “section 675(c)(3) of the Community Services Block Grant Act (42 U.S.C. 9904(c)(3))” and inserting “section 676B of the Community Services Block Grant Act”.

(b) COMMUNITY ECONOMIC DEVELOPMENT ACT OF 1981.—

(1) SOURCE OF FUNDS.—Section 614 of the Community Economic Development Act of 1981 (42 U.S.C. 9803) is repealed.

(2) ADVISORY COMMUNITY INVESTMENT BOARD.—Section 615(a)(2) of the Community Economic Development Act of 1981 (42 U.S.C. 9804(a)(2)) is amended by striking “through the Office” and all that follows and inserting “through an appropriate office.”.

(c) HUMAN SERVICES REAUTHORIZATION ACT OF 1986.—Section 407 of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9812a) is amended—

(1) in subsection (a)—

(A) by inserting after “funds available” the following: “(before the date of enactment of the Coats Human Services Reauthorization Act of 1998)”; and

(B) by inserting after “9910(a))” the following: “(as in effect before such date)”; and

(2) in subsection (b)(2)—

(A) by inserting after “funds available” the following: “(before the date of enactment of the Coats Human Services Reauthorization Act of 1998)”; and

(B) by inserting after “9910(a))” the following: “(as in effect before such date)”.

(d) ANTI-DRUG ABUSE ACT OF 1988.—Section 3521(c)(2) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11841(c)(2)) is amended by striking “, such as activities authorized by section 681(a)(2)(F) of the Community Services Block Grant Act (42 U.S.C. section 9910(a)(2)(F))”,.